Culture and Enlightenment

Essays for György Markus

Edited by

**John Grumley
Paul Crittenden
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CULTURE AND ENLIGHTENMENT

Culture and Enlightenment are the two words that best characterise the essence of György Markus' career, in whose honour this book is published. Markus devoted the last twenty years of research towards a theory of cultural objectivations and their pragmatics, and the great depth of his knowledge of the history of culture and philosophy informs all his teaching and writing. The pursuit of Enlightenment ideals attains reflective self-consciousness in Markus' works; forged in the knowledge of its own historicity, of the embeddedness of rationalities in culture and in an awareness of the paradoxes that cling to the conscious affirmation of ideals which are no longer self evident or beyond questioning. In taking up the challenge of these paradoxes, Markus spans the whole history of modern philosophy and culture with a matchless authority.

This book draws together contributions from leading figures in contemporary philosophy, who are also friends, colleagues and former students of György Markus. The book is divided into two sections: the first presents critical assessments of various aspects of Markus' wide-ranging works; the second presents contributions in celebration of his influence and his wide interests. In their critical assessment of Markus' work and in the demonstration of his influence, the contributors hope to convey something of the breadth and something of the excitement of doing philosophy in the company of György Markus.

To George with thanks

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Introduction
The Paradoxes of Philosophy: György Markus at Sydney University

JOHN GRUMLEY

György Markus is a great storyteller. His tales are of the history of philosophy. He weaves his narratives with an unmatched knowledge of the history of philosophy and culture and a sharp eye for philosophical distinctions and nuance. He delights in paradox but is never frivolous. He enjoys nothing more than problematising key distinctions, in excavating their hidden history, exposing their secret tensions and ultimate inconsistencies. He particularly enjoys being able to show that contemporary philosophers are not as clever or as original as they sometimes like to believe. He wants to conjure perplexity, shake up our preconceptions, complacency but finally also leave us a little wiser than before. Think of his analyses of the concept of culture or that of positive and negative freedom (Markus 1997; 1999). His scepticism always operates under the strict command of his commitment to enlightenment and the continuing importance and value of philosophy. Yet, not even this commitment is immune from paradox. Markus also tells a story about philosophy. In this narrative, the glory days of philosophy are past. It is in crisis and has lost its former public function. The philosopher is no longer the *sophos* of the ancients devoted to the philosophical life and elite school or the enlightenment representative of every man who suppressed particularity in favour of universal reason and the republic of letters. Today the philosopher speaks for nobody but him/herself. Philosophy is regarded as private opinion. At best it supplies visions as commodities. This normative pluralisation signals the fact that philosophy no longer carries the burden of public responsibility. Awkwardly located between the institutional demands of the university and a purely private existence, the philosopher has been unburdened from the expectation to live with the consistency that was once

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the requirement of living the 'philosophical life' (Markus, 1999b). As usual, the Markus narrative is compelling: comprehensive, unsentimental.

In what follows I do not so much want to contest this narrative but to explore another paradox. I want to recount, from my own perspective, one phase of the philosophical life of György Markus: his twenty years at the University of Sydney. I think it tells a story his narrative about the history of philosophy, however generally convincing, is unable to do justice to. This is a story about the consistency of one contemporary philosophical life and the richness of its impact.

György Markus [hereafter George as he became universally known at Sydney University] arrived in Sydney with his family in early 1978 quite unheralded to take up an appointment as a Senior Lecturer in the Department of General Philosophy. After an academic career that was already twenty years long in Hungary but cut short by political excommunication, police harassment and discrimination, he was compelled to start again. Markus had taught Philosophy at Budapest University between 1957 and 1965. Although elevated to do pure research at the Institute for Philosophy in 1958 on a half–time basis, he continued to lecture at the university until 1965. From that time on, his affiliation with Lukacs and the other members of the Budapest School rendered him politically suspect and he was excluded from the University. This marginalisation increased when the group protested the Soviet invasion of Czechoslovakia in 1968. Markus along with most of the others was dismissed from his position in 1973 and was compelled to live on translations for most of the next five years. Finally, after the Markus' children experienced 'political' discrimination at university entrance, the members of the group decided on emigration and Markus, his sociologist wife Maria, Ferenc Feher and Agnes Heller came to Australia in 1978.

I met George on the first day of his arrival. I remember him with his heavy horn-rimmed glasses, the very intense stare whenever the topic turned to theory, chain smoking and wearing a sort of safari suit with half sleeves well-prepared for his first day in the tropical jungle. I was beginning postgraduate work and on the lookout for a supervisor. I'd heard that General Philosophy had appointed a 'humanist' Marxist from Hungary. At that time, Philosophy at Sydney was split between two Departments after acrimonious and much publicised political struggles in the early 70s concerning the teaching of Marxism and Feminism. Markus was one of three new appointments to the Department of General Philosophy. This Department was the 'democratically' managed torchbearer of contemporary radicalism. The very idea of a 'humanist' Marxist should have been abhorrent to any self-respecting postgraduate student. At that time the hegemonic theory in General Philosophy was Althusserian Marxism and

any sort of humanism was definitely both passé and highly suspect. A few years before quite by accident I had stumbled upon Lukacs' *History and Class Consciousness* and become quite intrigued by his very sophisticated humanist reading of Marx. This had at least given me reason to personally check out the new appointment. Our first meeting was quite characteristic of his relations with all students over the years. He was friendly, attentive and kind. We finally got into something of a minor dispute about the philosophy of science which I remember him concluding in a typical self depreciating way by saying that this was a topic we both knew very little about. Certainly true on my side, Markus' own Socratic denial belied the claims of the scholar who only a few years later would write the original and highly regarded monograph 'Why there is No Hermeneutics of the Natural Sciences?' (Markus, 1987).

In this first semester, Markus gave an undergraduate course on Marx's Anthropology and a postgraduate one on Western Marxism. Many expected that the latter would see the sacrifice of this new 'humanist' Marxist to the Postgraduate lions of Althusserian departmental orthodoxy. This spectacle was not to be. Most of the postgraduate community had hardly heard of Korsch and Lukacs and the larger interpretative issues in relation to the 'authentic' Marx were quickly swamped or defused into minor skirmishes as Markus gradually demonstrated his mastery of the field. Although the new humanist had avoided the humiliation some postgraduates fully expected, the performance had not bowled them over. The seminar style course with student papers was too disjointed to provide the lecturer Markus with the ideal forum to unveil the full range of his philosophical capacities. Nevertheless, I was sufficiently impressed to give his next course a taste.

The next semester he taught an undergraduate course on 17th century metaphysics. Although at that time I didn't normally attend undergraduate courses I decided to sit in. Strangely it was the first two lectures of this course that completely transformed my estimation of the new 'humanist' Marxist. They were a towering four-hour long historical introduction to the 17th century cultural background to Descartes, Spinoza and Leibniz. It was a masterful panoramic view of the all the forces of crisis and dynamism that had challenged the traditional structures of belief and forged the foundations of a modern worldview. I recall this magnificent evocation of the spirit of these times culminating with a very amusing and heavily accented reading of a passage from Shakespeare that rendered perfectly the pervading scepticism and confusing re-evaluation of all values.

As was to become another Markus trademark this course never reached anything like its advertised end. The anticipated end of every course was a victim of the almost unfathomable depth of George's knowledge. 17th

century metaphysics became Descartes and a little Spinoza. This pattern was always repeated. Often he would complain about it, bemoaning the loss of a lecture to a public holiday or simply self-remonstrating that the course was 'nowhere' while the weeks were rapidly slipping away. But nothing ever changed. I put this down to the fact that George always prepared from week to week. During these early years in the non-teaching periods he would be either overseas or heavily engaged in his own research. Also from the time of his arrival in Australia he always wrote out his lectures fully. Initially he had been anxious about his English competence but later this became a habit that he could not break. What was surprising about this was that he has superb ex-temporising abilities and could have easily worked from a few notes. At the beginning of each course he would genuinely intend to cover a certain amount of ground but when it came to the writing, his thoroughness and knowledge always got the better of him. However, I cannot recall any student complaints. George broke most of the contemporary rules of 'good pedagogy'. But to be in these classes was to experience the history of philosophy come alive at the hands of a great contemporary philosopher. This is a very special experience that defies all rules.

From this time on I attended all George's lectures. And in the first eight years of his time at Sydney he hardly repeated a course despite his very heavy teaching load. Towards the end of his first year at Sydney a debate broke out in General Philosophy about our first year offerings for the next year. Although first year teaching is not greatly prized and often experienced academics avoid it like the plague, at that time the democratically run Department had a strong ideological/emotional investment in first year. Several possible courses were proposed and George offered to teach what appeared to be a fairly standard introduction to political philosophy. While there was no real general enthusiasm for this course, it finally got approval less for its perceived merits than because of a range of more serious objections to the alternatives. What might have appeared as a fairly conventional course was no such thing in his hands. The course was a great success even though it took students a few weeks to come to terms with George's idiosyncratic pronunciation and conjugation of English verbs. But for those of us who were tutoring and had studied early modern political philosophy before, George's historicising approach was a revelation. His rare combination of broad historico-cultural contextualisation and incisive critical reconstruction and dissection awoke many of us for the first time to the real point of teaching the history of philosophy. For Markus, these classical theories were not quaint errors to be paraded for the vindication of the superiority and virtuosity of contemporary debate but paradigmatic alternative options and 'solutions'

which, when relocated in their own times, had their own logic and validity. In this light, the often quoted distinction between doing philosophy and doing the history of ideas where the latter is the province for those without the capacity for the former simply dissolved before one's eyes into the stupidity that it really is. His historicism was much more than the requirement to carefully reconstruct the historical context of every philosophical system. Markus was also able to bring the whole weight of the subsequent history of philosophy to bear on his critical reconstruction. His greatest strength as a philosopher is this amazing combination of deep historical knowledge and sensibility and raw analytical power. While it is quite uncommon to encounter philosophers with one of these vital ingredients of great philosophy to the highest order, it is very rare indeed to find them in anything like the combination Markus is able to wield. George taught this course for five years in a row and renamed 'Philosophy and Society' it has remained a constant element of the first year philosophy course ever since.

Despite this extra first year burden, Markus also taught two other courses each semester. This meant that during these years he taught five courses a year of which four were new virtually every year. After the long years of exclusion from teaching and official ostracism in Hungary, arrival at Sydney for a natural teacher like Markus unleashed a great burst of pent up enthusiasm. He had not taught regularly since resigning from the University of Budapest in 1965. However, his subsequent years of politically imposed confinement to research equipped him with the erudition and great backlog of ideas and the challenge to establish himself did the rest. The students who regularly followed George at that time lived on a rich diet. However, throughout the eighties attendance at Markus' classes was solid rather than spectacular. Although he very quickly established his intellectual authority amongst his colleagues and the post-graduates, this did not translate into large classes. Soon after his arrival the great cultural sea change hit Sydney and the Althusserian hegemony gave way to post-structuralism. In the reputedly most radical Department in the University most students flocked to the new courses in Feminism and Foucault. During this time Markus mainly taught German Idealism and Marxism. So many students passed through the Department almost unaware of his presence. This changed in the nineties as the high water of the post-structuralist fashion passed and George's intellectual reputation gradually spread further abroad. But in those early years those of us who were lucky enough to sit in on his classes or attend departmental seminars received a special treat.

While the two-hour set piece lecture provided the time for George to unfold the history of philosophy and bring it to life, his contributions to

staff/student Seminars were also a revelation. Here he could display the enormous range of his learning and his enormous capacity for critical analysis and getting to the heart of things. Yet, while these prodigious abilities were always in evidence, Markus was never one to use the seminar for display. Philosophy, for him, is always a very serious matter: not a vehicle for personal aggrandisement but a determined quest for the truth. Often in seminars Markus would forego the easy option of contesting the assumptions of the paper and engaging in polite polemics. Instead he would allow the paper-giver their own assumptions and direct his questions to internal tensions or contradictions in their own argument or standpoint. This is a most impressive way of thinking with the paper-giver and helping them to confront the objections thrown up by the internal logic of their own arguments. However, to be able to do this on a regular basis across the diverse range of philosophical topics is a tall order. It requires not only great analytical abilities and a profound knowledge of the history of philosophy and culture but also the capacity to immediately think oneself into another's mode of thought. An admiring colleague once described George's capacities like this: it was as if he possessed an internal map of the whole history of philosophy. This allowed him to easily locate a particular argument or position and both relate it to all others and determine quite precisely its ancestry and his critical relation to it. George demonstrated this mastery time and time again. Another postgraduate once said to me ruefully after such a seminar 'you will never "one-up" George Markus in the history of philosophy'.

In these early years Markus gave his great cycle of courses on the history of German Idealism and of Marxism. The former included a famous year-long post-graduate seminar on Hegel's Phenomenology that continued beyond the end of teaching in late October and finished on the 22nd December. All participants thought it fitting that George be designated to present the final paper, an introduction to the section on Absolute knowledge. For several of us this seminar was the highlight of our postgraduate career and the real beginning of a serious engagement with Hegel. Markus also gave a year-long lecture course on Kant's first two critiques, another year-long series of lectures on Hegel's Logic which turned out to be a course from Kant to Hegel including Fichte. He also taught Hegel's Philosophy of Right over a full semester. The history of Marxism included a year-long lecture on Marx's philosophical development followed by semester long courses on each of Engels and the Second International, Lukacs and finally the Frankfurt School. Aside from this there were several other jewels. A whole year course on the philosophy of history. This course traced the philosophy of history from the bible to Hegel. At one stage George even decided to lecture on his research interests

to 4th year and postgraduates. This turned out to be a four-hour seminar each week on the philosophy of culture with him lecturing most of the time. To continually produce new courses at this rate and quality was impossible. As its turned out external events intervened to drastically transform George's options. In 1986 his eldest son Yuri had a traumatic accident.

Having just completed his honours degree in philosophy at Sydney, Yuri had just commenced his PhD. During a game of soccer he suffered a severe brain haemorrhage, was in a coma for three months, in hospital for twelve and was left with major disabilities and in need of constant home care. This terrible injury to his son shook George to his foundations. It required a long period of only partial rehabilitation and George only returned to serious work slowly two years later. However, during this very difficult time he didn't miss a single class, and even at the height of the crisis he was just as conscientious, considerate and polite to students, friends and others as he had always been. This continued amidst the adjustment to the extent of Yuri's injuries and the year long daily round of hospital visits that followed. Little has changed in the over fifteen years since. George and Maria have devotedly cared for Yuri at home with very little outside assistance. However, adaptation to the new domestic situation did mean significant changes. From this time it was rarely possible for George to travel abroad or attend overseas conferences, he had to somehow reduce his load and limit his time at the University. He has still continued to teach new courses quite regularly up until his retirement but they never again came at the same rate as in the first eight years.

The Markus contribution to philosophy at the University of Sydney has been profound. Beside his own dynamic intellectual impact in research and teaching, he more than anyone guided the Department of General Philosophy to its self-understanding as a Department teaching continental philosophy. Although the two Departments were unified in 2000 this was largely made possible by the fact that there is now a fragile majority consensus for a broader and more pluralistic understanding of philosophy. In many ways this represents the 'normalisation' of philosophy at Sydney and the triumph of managerial rationalisation. But the climate of possible rapprochement was in no small part a measure of the legitimacy Markus was able to impart to a continental approach. It was he who really gave substance to this idea of an alternative paradigm to the dominant analytical tradition in Australia.

Yet, great intellectual power and vision is not the full story of Markus' impact. After all, the history of philosophy is replete with many masters who were quite unattractive personalities. What sets Markus apart is his character and his fundamental orientating values. This first struck me in observing his responses to the internal politics of Philosophy at Sydney.

When George arrived at Sydney in 1978 the Department of General Philosophy was a seedbed of faction and internal struggle. Struggle between the Departments over the direction of philosophy had charged the general atmosphere with conflict and simmering tension and the internally democratic character of General Philosophy had also introduced a high degree of factional politics into its everyday decision-making. The great difficulties of maintaining any substantial democratic forum in an intrinsically hierarchical institution like the University was soon compounded by the collapse of the Althusserian hegemony and the outbreak of further divisions between Francophiles and Marxists, staff and students, feminists and Marxists, etc. Caucusing and planning strategy preceded much of the internal decision-making of the Department. Many of us who got our first introduction to politics in this forum came to think that the 'numbers' game was the only political reality beyond bourgeois hypocrisy.

Almost from the beginning, Markus introduced a completely new tone into these internal politics. He always phrased his own interventions in terms of the best interests of the Department and its students and he really meant it; he also never caucused or played strategic games. He was always the true democrat and encouraged collegiality. On important issues, he would put his view forcefully and politely in terms of principles. He always encouraged the climate that whatever divisions existed it was important that individuals be respected and that we all should feel the solidarity of our common responsibilities as members of the Department. While his views were always influential they did not always carry the day but this never changed his countenance or his attitude to colleagues. For him, it was sufficient that he had done his best to sway others to his way of thinking but his ego never suffered when he failed. He had no interest in power or faction; he never intended to create a Markus school at Sydney. Although several of his former students later joined the staff he always treated them as equals and was never offended when it turned out that occasionally they had quite different views to him on various matters. This commitment to collegiality played a major role in transforming the internal politics of both General Philosophy and later in the unified School of Philosophy. While various trials and tribulations continue in Philosophy at Sydney as in all academic communities, after the great years of schism the general atmosphere has much improved. Several people on the General Philosophy side like John Burnheim and Paul Crittenden played a large role in this but nobody more than George Markus.

This commitment to collegiality and solidarity was also evident in Markus' attitude to post-graduates and local doctorates. When he arrived post-graduates were not as highly valued as they are today. University

funding was much more abundant and not tied directly to postgraduate 'performance'. Numbers going on to postgraduate study were not large and there was no culture of brisk completion. Supervision was less formally structured, largely a 'hit and miss' affair dependent upon elective affinities and the diligence of individual staff. There was also a certain cultural cringe that intimated that those who had gained their qualifications overseas especially at prestigious Oxbridge must be superior to those who had merely stayed at home. Amongst tenured staff the fairly typical career path for those who had not actually originated from overseas was to have gained post-graduate qualifications at these institutions before returning to commence their careers in Australia. Thus they tended to be more impressed by job candidates who had these qualifications rather than local ones. They had also mostly begun their own careers when jobs were relatively more easily secured in the great expansion of the university sector in the sixties and seventies. The tight job market that emerged in the early eighties was something they had not experienced. In the main staff expected that their own students would make their own way not only towards the PhD but also later on in the academic world. Being a home grown PhD at Sydney was definitely not an advantage when it came to local job applications and it was not an uncommon experience to be pipped at the selection committee by an unknown from overseas who later turned out to have only moderate talents.

In retrospect, it is clear that this situation was bound to change with increasing numbers of students doing post-graduate work in Australia and the changes to funding arrangements. However, at the time and on the ground, the attitude of influential senior staff was quite crucial. In this respect, Markus played a significant role in improving the prospects for postgraduates in the Department of General Philosophy in two major ways. Firstly, he was a peerless supervisor who began to see students to completion at an unprecedented rate. His enormous coverage of the modern history of philosophy and its literature enabled him to assist many students on the way to viable projects and facilitate the writing with first-rate critical feedback. Although most students dreaded supervisory meetings where their latest drafts would have to pass under George's microscopic critical judgement, most felt confident that if they could get their work by him the ultimate referees were not likely to be as tough. In this respect, George did nothing less than would have ideally been expected from all supervisors. The only difference was his enormous coverage and the fact that he was far better at it than anyone else. This showed in his completion rate. Nobody in the history of Philosophy at Sydney has supervised more completed PhDs.

Even more significant, however, Markus championed the cause of his own and other local students in the hot competition for jobs. It was not that

he favoured local candidates irrespective of the quality of the competition. Rather he never simply assumed that an overseas candidate must be better than a local one simply because of that fact. He tended to favour locals unless it was clear that the competition was too strong on meritorious grounds. This forceful espousal of the interests of the homegrown product was also quite crucial in the context of the Department of General Philosophy. The radical reputation of this Department had circulated widely and this reputation along with its championing of continental, Marxist and post-modern approaches meant that its students were at a great disadvantage in applying for work in the predominantly analytical Departments in the rest of Australia. Several highly regarded philosophers of my own generation owe their initial professional start to the advocacy of Markus. He showed particular concern for the fate of completing homegrown product and championed its cause within the Department and on selection committees sometimes against conventional prejudices.

George Markus retired at the end of 1999 after twenty-two years at the University of Sydney. He was the first Professor of Philosophy at Sydney to gain his own personal chair, elected to the Australian Academy of Humanities, was highly regarded across the University and much loved by several generations of devoted students. His leaving was characteristic of the man. There were a few small ceremonies but nothing spectacular. Unlike the ideal–typical 'modern academic', Markus was never one to crave the limelight or draw attention to himself. The recognition that he finally attained within Sydney and Australia was built gradually mainly from personal experience of his prodigious philosophical talents, great communicative powers and a rare combination of personal charm and urbane decency.

If one had to choose only two words to characterise the essence of George's philosophical personality they would be 'culture' and 'enlightenment'. These words are a fitting title to introduce a collection of essays in his honour. The choice of 'culture' is almost self-evident. This is Markus' research topic: he has devoted at least the last twenty years of research towards an as yet unfinished theory of cultural objectivations. It is also apt because the great depth of his knowledge of the history of culture informs all his teaching and writing. 'Enlightenment' even more so because he is a living embodiment of that intellectual movement's finest aspirations. He is a man not only of great learning and critical spirit but also of great urbanity, tolerance and humanity, of all those qualities which were supposed to assist in raising humanity to the exercise of its own rationality and moral autonomy. In his case, it is especially appropriate to join culture and enlightenment. With him the pursuit of Enlightenment ideals has attained a reflective self-consciousness. It acknowledges its own historicity

and embraces the paradoxicality that must surround the affirmation of ideals which can no longer be absolutely grounded or regarded as self evident.

I have tried to convey how this patina of paradoxicality permeates even his own philosophical life. While he acknowledges the passing of the time when it was a normative requirement that a philosopher demonstrate the unity of theory and practice in life, his own example and its impact on Philosophy at Sydney shows the magnetic power of ideals alleged to be historically obsolete. His rare combination of knowledge, critical insight, fused with his humility, generosity and kindness is the reason why George is so loved by many of us at Sydney. For over twenty years he worked tirelessly to bring the history of philosophy to life and entrance students with its grandeur, his deep love of his subject and its contemporary relevance. There are only a handful of masters in the philosophical world and he is one. He will continue to teach and research because philosophy for him is a *habitus*. He is about to take up a Professorship in Philosophy at the Central European University in Budapest and he will continue to teach one course a year at Sydney. To have been his student and work with him has been the greatest privilege. I will not see his like again.

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1 Questions Concerning the Normative Scepticism of György Markus

AGNES HELLER

When I was asked to write a contribution to the Festschrift of my old friend Gyuri, I was tempted to go back into the past, to the times of the Budapest School. The members of the School constantly read and discussed every scrap of paper written by any of us. The temptation was to turn with the feeling of nostalgia, towards the familiar, the close, the intimate spiritual contact of the sixties and the seventies. But then I changed my mind. I felt that I would not act in Gyuri's spirit if I followed my instinct. Gyuri would politely warn me that philosophy is not a conversation, not even recollection, that while writing philosophy one needs to demonstrate one's point, one has to at least tell a consistent story. And what is the most important: one is involved in philosophy because one wants to know something: something else, something new. This is why I decided not to write about the Gyuri of the sixties whom I know pretty well, but about the later, most recent works of György Markus. I set myself the task to find out what the 'contemporary' Markus tells us about the world, life and philosophy. True, I have already read most of these works in manuscript. Yet never all of them together in one breath. Furthermore, I have read Gyuri's works through the looking glass of my own philosophy, concentrating on agreements or inspiration; particularly his philosophy of culture helped me to clarify my own ideas. This is how I normally read philosophy: looking for fascinating or at least clever thoughts in a text which inspire me, without being particularly interested in the author's answers to the questions, for I prefer to develop my own. Especially when it comes to the writings of a dear old friend, like Gyuri, I am instinctively looking for agreements rather than differences. This time, however, I tried to 'alienate' his philosophy from my own, to keep him and his philosophy at arms length, to find out not just what the author says, but also who he is, and what is the idea, truth or thought, he stands for. I want to know my old

friend better by better understanding his philosophy. (At this thought I see his ironic smile: what, you still believe that one can read a character from his philosophy? You never grow up! And you still say that you want to understand me? Sorry, I would answer, I promised to 'alienate' you, but I cannot promise to alienate myself.)

Let me open the game with an obvious step. I ask: which is the philosophical passage most frequently quoted, or referred to, in the recent works of Markus? The answer to this question may serve as a point of orientation. The question is easy to answer: it is one sentence, or a few sentences taken from the second volume of *Hegel's Lectures on the Philosophy of Religion.* After having compared previous times with the present age Hegel expresses his fear that philosophy, the 'absolute spirit' of the moderns, will be a poor replacement for the 'eternal truth' or religion. It does not engender general belief, faith and conviction within the whole 'congregation' and he continues: 'How the temporal empirical present will find its way out of this entanglement, and in which direction it is going to develop, we better leave to empirical history. To find this out does not belong to the authority of philosophy and is not its own direct and practical task.' The text - at least its last sentence - is quoted in full only once, but three additional times - and perhaps even more often. Markus refers to the same text with half-quotes or hints, when he mentions the dissolution of the modern congregation (*Gemeinde*) or speaks about philosophers as of a narrow 'priestly cast' that cannot replace the religious congregation in modern times. In his work 'On Freedom: Positive and Negative' (Markus, 1999a) (here the full quote appears) Markus discusses no less serious a matter than the fate of the project of modernity which always hangs in the balance. To the rhetorical question for how long can the world still mobilise sufficient social, political and cultural powers to keep the enterprise of modernity in motion, one can answer, so says Markus, only with Hegel's words of resignation presented in the finishing sentences of his lectures on religion. This time Markus omits Hegel's ruminations regarding the problems: how the 'eternal truth' of religion proved to be temporal, how the spirit of congregation is thinning out, why the limited power of the 'priestly cast' of philosophers cannot replace this spirit. He presents only the answer, which is no answer, the above quoted conclusion, which is no conclusion at all. Markus does not mention Hegel's remark that perhaps our hearse-bearers are already standing before the door, not just because it is in another text, but because Markus never tries to over-determine his case. He does not want to present us - in his Hegel quotation - with a pessimist, but with a sceptic. Pessimism seems to be cheap in Markus' eyes, scepticism of a kind is, however, a realistic attitude of responsibility.

I think that the Hegel quotation presents the fundamental attitude and the pathos of Markus' later philosophy, although not necessarily also its message. To avoid misunderstanding: Markus is no Hegelian.[1] This is why he will exemplify the dissolution and confusion in modernity mainly with contemporary philosophy. Yet there are three fundamental aspects of this Hegel quotation that are also fundamental to Markus' philosophy. I will speak briefly about all the three.

The first is simple. Not just in the Hegel quotation but also in several of Markus' studies, our times appear as times of confusion. It is an open question whether the Markus diagnosis intends to describe the state of our times in general, or whether it is limited mainly to describing the state of contemporary philosophy and other manifestations of the sphere of 'the absolute spirit'. Yet, there is hardly one single study in which this message is not strongly stressed. He speaks about the sickness of our times, about frustration and anxiety (many times about anxiety!), he makes mention of 'contemporary confusion', process of dissolution, and so on. All his stories of philosophy (and he tells, perhaps, three) end up with the description of dissolution, confusion.[2] But this is yet a minor point. The major point is to discover or to identify the task of philosophy (not the tasks of thinking!) in times of anxiety and confusion. Markus is a pluralist in the sense that he never claims that he, and those who do philosophy like him, are the sole repositories of true philosophy and possess insight into the real task of philosophy, whereas all the others fall short of fulfilling this task. There are many kinds of philosophy that put the chaos of the present into an elementary order from one or another perspective. But Markus acknowledges only those philosophies as authentic which are also *normative*; not necessarily in the sense that they contrast Ought to Is (although they can do this too), not even in the sense that they must present universal claims (although they preferably should), finally not in the sense that they must employ the method of idealisation (although they better do this in political philosophy), but in the sense that they develop a special, *namely, normative relation to contingency.* One can call this contingency with Hegel 'empirical history', or one can use also other terms, but the main idea remains close to Hegel. Philosophy cannot do anything with contingency. Philosophy cannot know or understand contingent events, factors and the like. This is why I call Markus' philosophy normative. Yet the same (normative) philosophy has to acknowledge contingency, as the main factor of social, political, cultural life. This is why I speak of Markus' scepticism. The two combined I term *normative scepticism.* True philosophy is normative, yet the contemporary philosopher has to reflect upon his normative philosophy with *skepsis*; in this, secondary sense, scepticism is also normative, for it is also via this secondary scepticism that

the philosopher lives up to his/her responsibilities. I came to this conclusion after having read Markus' recent works in a single reading. In what follows I want to share my philosophical experiences with the readers of this paper and, of course, with György Markus, who may or may not recognise himself in my presentation.

I mentioned Markus' pluralism in his description of contemporary philosophy. This pluralism, however, is not boundless. He does cautiously exclude some philosophies. The concept of limit, boundary (*peras*) occupies a central place in his thinking. It can be the boundary of knowledge - in this sense he remained a Kantian, the boundary of the genre - of the philosophical genre first and foremost - yet also the boundary of the age and the boundary of human life. Normative scepticism is the philosophy of finitude in all these senses: not just in terms of mortality. It encompasses what the ancients called 'form', and thereby the double relation to contingency: its recognition of finitude and the ephemeral and its rejection of 'form', particularly in the sense of 'reason' and 'rationality'. This normative aspect (the preservation of philosophical 'form' and 'rationality' against its dissolution) is very strongly presented in two other essays: his study of Descartes (Markus, 1999b) and 'After the System: Philosophy in the Age of the Sciences' (Markus, 1995b). The Descartes study ends with a provocation. After a beautiful discussion of the *Discourse* and *Meditations,* Markus asks the question: which of them is the 'true' Descartes? According to Markus, this question cannot be answered because Descartes loves to hide himself. There are, however, not just two of Descartes, there are three, and Markus - this is one of his provocations! - prefers the third, the Descartes of the *Refutations.* Moreover, according to Markus, there are not even three of Descartes, but just three texts. One does not prefer one of Descartes' faces, but one of his texts.[3] Let me pass on this issue and not ask the question for the time being as to whether Markus himself likes to hide or not? Perhaps, even his preference for *Refutations* is just a hiding place? Let's just accept the text at face value. Markus likes best the Descartes who misunderstands his philosophical enemies, who denounces them. Markus gives four reasons for his preference. Firstly, because this Descartes (this text) gives voice also to his adversaries, it lets them speak. Secondly, because the text is demonstrative, it takes them seriously refuting point by point all counter-arguments. Thirdly, because he/it creates thereby the *respublique de lettres.*[4] The fourth reason is perhaps the overarching one. Descartes wanted to persuade his adversaries - - so Markus says - of the falsity of their standpoint at all costs. He defends to the last his truth, *the* truth. This dogmatism is, according to Markus, exemplary. *Exemplary* is a very normative term.

Some philosophers (and their respective texts) are far from exemplary. Among them are the contemporary philosophers who give up their claim to persuade the readers/listeners about their truth. If someone asks only questions or only gives tentative answers, or is inconsistent - at least in his arguments - provided s/he will argue at all - s/he has overstepped the boundary and ruined the 'form' of the genre (rationality). They have endangered philosophy. Markus goes even further and predicts with definite sarcasm, that if we gave up the claim to persuade others about our truth as *the* truth, the whole community of philosophers would turn into a gigantic coffee-house. But why? Certain kinds of philosophers conduct philosophical conversations in terms stemming from the tradition. If they do this before the public eye while problematising some crucial issues for themselves and for their readers/listeners without pretending to know the answers to their questions, why should this reduce the whole community of philosophers to a gigantic coffee-house? Some members of a philosophical community restrict themselves to problematising issues and conducting conversations. Are they preventing other members of the same community from choosing a foundation and erecting a philosophical building on it, even while aware that they have chosen this foundation themselves and others might choose other ones? Surely they can embrace their truth and take responsibility for it while others embrace theirs? And if one finds elucidation and edification in philosophical conversations, why should it be necessary to try to refute these messages? Particularly if there is nothing to refute? Or even if there is, because the 'protagonist' is not consistent in traditional terms? Why exclude Montaigne or Nietzsche from philosophy? Do they belong to the coffee-house? Markus would *not* think so. Nor do I want to 'refute' Markus at all, although I could easily do it (every philosophical demonstration/argumentation can be refuted) because I concede the futility of such a refutation.

If I do not want to 'refute' or 'criticise' Markus, why have I committed all this to paper? Perhaps, to demonstrate something by exemplification. I wanted to show why I consider his philosophy normative, and why I think that boundaries are important for him, among other reasons, also to delimit roughly the genre of philosophy (which still includes many different genres). However, this is just the first step. I will continue in this direction. Markus says, with Kant, that all significant philosophies in the modern era address the question: what is man? He tells us, that we know already that no answer to this question can be proven by demonstration or supported by true facts.[5] From this follows that a philosophy (assuming that there can be such a philosophy!) which does not put this question at the centre of its inquiry does not hit the norm of the 'form' philosophy. One has to go on

with one's demonstration or one's story in a definite direction, whether one still entertains the illusion of attaining the *telos* of the endeavour, or not.

In one of Markus' stories (he tells many stories about philosophy, but I think that all are told in the same spirit) philosophy has always been a great enterprise (not experiment) in the consistent rationalisation of the conduct of life, to present a coherent unity of human life. I do not yet understand what Markus means by rationalisation: conceptual formulation? contrast of good life to life-as-such? To carry one's own idea to its utmost possibility (these are not identical propositions). But for the time being the whole chain of reasoning is important for me only because of its conclusion. There are different philosophies. Yet this pluralism can be maintained only *if*, from the perspective of all these (plural, different) commitments, we carry out the thought-experiment of rationalisation until the point when our theory hits the limit and is crushed against the wall or the chaos of contingency in life and history.[6] One can also, perhaps, widen, broaden, extend this boundary.

Contingency is the boundary of the normativity of philosophy. The norm includes: demonstration, the claim to truth, the public character of the discourse, the rationalisation of life and world - until we run up against the boundary of contingency. Markus also includes our own history among the contingencies, and I agree. To repeat: contingency is the boundary, it is not included in normativity; normativity - before running into the boundary-wall (or chaos) of contingency - excludes contingency. This is what I mean by normative scepticism.

I will exemplify Markus' normative scepticism, part one, by his discussion on Aristotle in his essay 'Beyond the Dichotomy: *Praxis* and *Poeisis*' (Markus, 1986). Part two considers his splendid essays on 'On Freedom: Positive and Negative' and 'The Antinomies of Culture' (Markus, 1997) and, finally, part three looks at his self-interpretation as an 'orientative' philosopher.

Part One

Interestingly, Aristotle seems to play a greater role in Markus' present thinking, than ever before (and not just in his). Although he challenges the rigid juxtaposition between *praxis* and *poeisis*, his 'alternative' story connects Kant with Aristotle far closer than it is usually done.[7] But I do not want to retell his story. What is important to me is that Markus' normative scepticism itself accepts many presupposition of Aristotle, without subscribing - naturally - to Aristotle's teleological/hierarchical system. Markus modernises - if I may employ a fashionable and trivial term: - he

radicalises - Aristotle's understanding of the relational contingency/philosophical normativity. In Aristotle normativity is also onto-teleological, whereas in Markus this is not meant to be so. Whether it still is remains to be seen. All in all, however, the similarities are striking.[8] I cannot here discuss Aristotle but only mention a few aspects of his philosophy to better understand Markus.

In Aristotle there is no science of contingency. This means that there is no science (philosophy) of the individual with the exception of God (the pure form). For matter always includes contingency. Yet there is no philosophy (except teleology proper) which does not theorise things, events, actions that *contain* contingency. Every individual substance (*ousia*) contains contingency, yet philosophy does not discuss them *in* their contingency. There are four kinds of contingencies (they can also overlap): a) *stresis* (lack, absence of perfection or of the performance of function). b) the interruption of the development (motion) from dynamis to *energeia.* c) if an event or thing is fully determined by *causa efficien*, yet without *causa finalis* (*autonomon*). Finally, d) if something else eventuates from human action than was intended (*tuche*). The whole world includes all these types of accident (except God). Philosophy must be aware of this ultimate situation. However, I repeat, philosophy is not the science of the accidental (there can be no such science). In Aristotle there is nothing tragic about this circumstance. This is why one could hardly call his realistic, and very rarely apodictic, philosophy 'sceptical'. Philosophy is the science of the normative, this is why it is true science. There is no communicable conceptual 'truth' of the singular. A good man who lives a good life copes with accidents in a non-accidental manner, as an *ousia* he will be more and more accident-neutral or accident-independent.

It is also Markus' conviction that there is no philosophy of the singular. If for no other reason, for the Aristotelian reason: one cannot embrace one single communicable and demonstrable truth about a singular as singular - except trivialities. One points at the singular: *to do*, this is it. Yet about this thisness - the alpha and omega of everything that exist, the sole certainty, the starting point - we do not speak philosophically about a thisness, but in general, conceptual terms: we need at least to assert something about it (*symbebekoi* secondary beings) to begin speaking about it. Ruminating about the principles (*archai*) Aristotle says that they must be general; for knowledge of anything is general 'since if they are not general, but individual, they are not knowable' (*Metaphysics*, Beta, 1003a, 15-7). This is one reason why Markus is suspicious about modern hermeneutics and its mode of interpretation: he doubts whether modern hermeneutics can be philosophy proper, whether it can be normative.[9]

Without speaking of a concrete author, without even distinguishing interpretation from deconstruction (although they are very different), I will show that Markus must feel ill at ease with all of them, first and foremost because they - mostly - concentrate on the contingent, in almost all of its Aristotelian interpretations. Sometimes they interpret the singular, sometimes they discover contingent connections, they may also scrutinise the marginal (dynamis which never 'became' *energia*). Human action that comes to naught (*tuche*) or which leads to unexpected results can be of philosophical interest for hermeneutics and particularly for the deconstructionist, yet it is of no philosophical interest to Markus.

Let me return for a minute to my introductory remarks. When Markus defends provocatively, of course, *The Refutations*, Descartes' exemplary way to do philosophy, and when he excludes 'conversation' as a kind of coffee-house chatter from authentic philosophy, he is Aristotelian in the deepest sense. Already in one of his earlier studies, 'Interpretations of and Interpretation in Philosophy'.[10] Markus describes hermeneutics, and particularly its third (contemporary) stage, as the expression of the *crisis of philosophy*, of its normativity. He raises the issue whether we are able to grasp in the tradition that which is *veritably* essential and fertile. Sure, modern hermeneutics (and deconstruction) will not satisfy the Aristotelian (and the Cartesian) criteria of philosophical science. What is 'veritably' fertile or essential in the tradition cannot be established once and for all. There are no single 'true' statements - except trivialities - concerning what is veritably essential in the tradition, whether one speaks of a single author, a single book, a single tendency and so on. This is, of course, also a triviality. What is not trivial, however, is *the abandonment of the normative claim in hermeneutic and deconstructive practice*. And this is what worries Markus. Not just that interpretation includes the accidental, not just the accidental is claimed to be the essential, but that the distinction itself is made fluid. Fluid, albeit not non-existent. One can refute some other judgements without claiming unconditional and exclusive truth for one's own interpretation. I have my Hamlet interpretation. Moreover, I interpret Hamlet in different ways. Why should only one single Hamlet interpretation be true? Why should I refute all other interpretations? One can refute one or another (if it makes sense). However, interpretation requires neither refutation nor a traditional mode of demonstration; that is, at least in the case of interpretation, the contingent can be topical for philosophy, and contingent judgements (mere opinions) can be accepted as philosophical judgements, if... The question still remains about boundaries and limits. And this is fundamentally Markus' point.

No, no, this is not Markus' point, but mine. Markus normally draws the boundary of philosophy in a very strict Aristotelian way, cleansing

philosophy of all kinds of contingencies in an Aristotelian sense, with the possible exception of determination by *causa efficiens*. Markus believes that truth claim and normativity cannot be divorced. But if accidents can be subject matters of philosophical thinking, opinions (which are always accidents!) can be accepted as true opinions (even if they include contingency as all opinions do), the claim for 'true opinion' remains valid. Aristotle says: 'Concerning contingencies, then, the same opinion or the same statement comes to be false and true; for it can at one time be true and at another time false. But concerning matters that cannot be otherwise than they are, the same opinions cannot be at one time true and at another time false, but are always true and always false' (*Metaphysics*, Theta, 1051b, 17). This means that true opinions exclude contingencies. But the modern mind prefers Leibniz' proposition that all truths of facts are contingent (they could be otherwise). Would it follow from this that it is impossible to form true opinions or claim that certain opinions are true without too excessive self-delusion? Can one trust the community of philosophers (which can be one small sect among many in Markus' view) to set certain, changing boundaries, without setting a general standard for performing such a distinction? This might involve dividing true opinions and opinions, delimiting the space within which a variety of true opinions compete with one another or even conducting conversations with each other. Those boundaries can be elastic, different for the members of different 'sects', and changing as in the case of fine arts. (Markus has some misgivings about eliminating all boundaries in fine arts too.) He would prefer to establish a few common standards for a great variety of 'sects', and his own standard can, indeed, be accepted by various 'sects', since he preferably voids it of all contents. Except one formal requirement: they should be normative, generalising, consistent, that is in one word: they should exclude contingency. Thinking in these terms, Markus would say that in certain fields (eg. political philosophy) there are only true opinions, but their norm is to exclude contingencies (even if they are unable to do so because the Aristotleian *tuche* cannot be eliminated here even in a thought experiment). Which leads us back to the starting point: there are no philosophies about the individual, about accidental connection, about the marginal, probably but not certainly with themselves as individuals or particulars).

Part Two

The two splendidly written and presented studies by 'On Freedom: Positive and Negative' and 'On the Antinomies of Culture' also exemplify a kind of hermeneutics. Markus reads 'the thing itself' (*die Sache Selbst*), namely modernity, through the magnifying glasses of the concepts of 'freedom'

and 'culture'. Remaining true to his normative commitment, Markus does not read 'marginal' phenomena, nor does he address anything singular. He speaks only about the central issue itself: for freedom is truly the central concept, value, blessing and curse of modernity, and the concepts of culture, together with their vicissitudes (or antinomies) are also deeply seated in the midst of the modern enterprise.[11]

Let me first briefly scrutinise the study on freedom running the risk of simplification. At the beginning Markus tells a story (as he usually does, and as almost all contemporary, non-analytical philosophers do), this time about the vicissitudes of the concept of freedom, from the ancient through the medieval to the modern. He juxtaposes the modern concepts to the pre-modern ones; the more all-embracing and universal the modern concept becomes, the more will it exclude power. Modern philosophy since Rousseau puts its stake on perfect freedom, in the state of which one is neither subjected to power nor exercises it either on the other or on oneself. From the womb of this illusion (or utopia) two alternative modern concepts of freedom are born: the concepts of negative and positive freedom. After having told his story, Markus goes on to present firstly the case of negative freedom, then of positive freedom. He argues on behalf of both. That is, he does the very thing he says a philosopher ought to do: he rationalises the concept of freedom up to the point when it crashes into the wall – or against the chaos – of contingency. This happens in both the case of negative and positive freedom. He speaks about paradoxes of both negative and positive freedom, and in my mind rightly so. Yet these paradoxes are not special kinds of logical contradiction. One could argue both on behalf of the negative and the positive concept of freedom consistently. Both concepts of freedom end in paradox, because they are 'socio-ontologically' dependent, because freedom, in all its understandings, needs to be *in principle* free of insoluble contradictions not *as a principle* but as a *factum brutum* (actuality) amidst a heterogeneous socio-political arrangement, amidst the diverse logics of modernity. In Markus' presentation (I simplify him here somewhat) it is the sphere of the social – of social inequality, etc – and its relation to the state – which transform both modern interpretations of freedom understood as freedom without power so that they become paradoxical. Of course, on a piece of paper one can always make paradoxes disappear; philosophy is particularly equipped to perform this magic. Yet 'in life' these paradoxes cannot be 'sublated'. The moderns need to learn to live with them and cope with them.[12] According to Markus, this happens practically, when different human groups contest the logic of both concepts of freedom. It is the power of one or the other group that at one time will see preference given to the first concept, whereas at another time the preference will go to the second concept. One could read this text simply as

a presentation exemplifying normative scepticism in Markus' philosophy. But there is a problem in such a reading. If I take seriously his suggestion that philosophy proceeds with rationalisation of a life-perspective until it smashes on the wall of contingency (the impossibility to establish a system), I will conclude that Markus does not live up to his own norms of doing philosophy in this study. Had he done so, he would have placed himself either in the position of negative freedom or in that of positive freedom and would have argued on behalf of the one or the other till reaching that point. Speaking of the concepts of freedom, their relation to the difference and tension between state and civil society (inequality) is in fact contingent. But Markus does not choose this approach. Philosophies of this kind are his *interpretanda*. He not only resigns from building a system (for he shows precisely that one could not construct a unified system either from the standpoint of negative or of positive freedom), but he - at least seemingly - also abandons the normative position. For he acknowledges that his *interpretanda* (the two concepts of freedom) cannot be discussed *without contingency, for they include contingency in a non-contingent manner*. Here he is confronted with a universal (general) which 'behaves' like an Aristotelian individual substance. It is always *itself* (this time it is negative or positive freedom), yet it is also *steresis*, always lacking its completion, contingent. Moreover, when Markus says that the paradoxes are 'temporalised' in the conflict of historical actors, he acknowledges contingency for the second time: the results of the continuous contest between the concepts of freedom belongs, to speak with Markus' favourite Hegelian text, to 'empirical' history. They cannot be normative, and do not allow for demonstration or predictions. I mention only in brackets, that this is exactly the main point of the *republican* conception in political theory. Markus displays little sympathy for republicanism, but at least he acknowledges that 'republicans' at least 'read' empirical politics fairly well. It does not follow from this that one has to abandon either the positive or the negative concept of freedom.

Although a few sentences in this study might suggest otherwise, in the main the idea of freedom is *not* an illusion for Markus: and if it is, it is an illusion *bene fundata*. Interestingly, when he mentions '*bene fundata*', he means freedom only as the positive foundation of modernity: as a result of the Enlightenment, he maintains, the idea of freedom becomes inherent to modern institutions, it is omnipresent. Yet he does not refer to freedom as negative foundation (freedom as *steresis*) but indirectly. I will supplement his thesis if he does not mind: after the Enlightenment destroyed the pre-modern foundations, no other foundation remained except freedom as absence (empty possibility, *nihil*, or to speak with Aristotle, mere matter). One question remains: what happened to the emphasis on the normativity

of philosophy in this study? Markus writes that the modern world is not the 'realm of freedom', for one cannot give a consistent meaning to this concept. Sure, this sentence alone is heavy in normative presuppositions. First, why should our world not be *called* 'the realm of freedom?'.[13] Was Hegel not right after all? Only because all kinds - or rather concepts - of freedom are crushed on the wall or chaos of contingency? Markus' problem with the 'realm of freedom' is that this concept is not consistent. In other words, that both consistent concepts of freedom become inconsistent because they turn out to be incompatible in the last instance, and run against the wall (chaos) of contingency. Yet if an entirely consistent concept of the 'realm of freedom' is impossible, how can one insist, that our world is not the realm of freedom? In Markus' proposition the modern world is *not X,* yet *there is no identity X.* He negates something the identity of which cannot be established. This is not a logical 'mistake', but a rhetorical trick to emphasise a strong normative claim. For the 'realm of freedom', a consistent system of onto-political freedom is the *Ought*, and the wall or chaos of consistency is the *Is.* Markus says, the realm of freedom is not possible. However, he does not ask the question of whether it is desirable?[14] He thinks that it is desirable for all of us, for it is a universal idea, the idea of *Enlightenment.*

In this study, and in several other ones, György Markus introduces himself as a conditional champion of Enlightenment. In modernity, he distinguishes between two main spiritual tendencies: enlightenment and romanticism.[15] Although he recognises certain merits in romanticism, he remains all the same a critical partisan of enlightenment. The *finale* of the study 'On Freedom' testifies his commitment to enlightenment and displays one of the essential messages of his normative scepticism once again. Markus says that the history of the modern world is a continually renewed experiment proceeding step by step - in pulling down all the different particularistic barriers, by eliminating injustices and grievances - towards the realisation of the idea of 'the realm of freedom'. Although the ideal moves farther and farther away from us as we get closer to it, it is constantly refilled with new contents. To put it briefly: modernity constantly approaches the ideal. It is in the state of progress in eliminating particularistic barriers, yet the ideal cannot be reached. New needs always develop and new claims will be formulated. In Markus' work 'progress' in general is a constituent of modernity and not just technological or scientific progress, for it encompasses also the rationalisation and universalisation of ways of life. This time the role of contingency is not played by the limit, but by the *absence* of limit, by the frightful thought of an infinite progress or regress. Yet his scepticism is here too, as in all other cases, connected to the gesture of resignation: there are no certainties, no absolutes, there is no

felicity, and one cannot go on with the illusion to reach any of them. Why is his pathos-filled statement still strongly normative? First, because there are no losses in his story. He predicts only gains that will always, of course, remain defective, because they create new tensions, new conflicts *ad libidum*. Still, there are no losses, there is no regress. Or if there still is (and even this is, possibly, permitted), we *can know with certainty* that they are losses, because we have a criterion to measure gains and losses, and this is the criterion set by the Enlightenment. Not, because nothing else exists, but because nothing else belongs under the authority or jurisdiction of philosophy.

What I wanted to exemplify with the brief and simplified analysis of a complex and brilliant paper was the following. Although Markus places himself seemingly in the position of the non-normative spectator as long as he describes the paradoxes of the two concepts of freedom, he manoeuvres himself back into the normative position while summing up the results of his inquiry. From an unorthodox hermeneutic standpoint he turns back towards an unorthodox normative/systematic standpoint. At the same time, preserving the conviction that a system is impossible. Something very similar, if not exactly the same, seems to happen in his study of the antinomies of culture. What brings the two studies together is the argumentative strategy of a non-orthodox hermeneutics. The difference becomes clear in the final result. This latter study is where Markus' scepticism gets the upper hand against his normative commitment. Here Markus ceases to play the role of the champion of enlightenment. The balance between enlightenment and romanticism will be sketched in a more even-handed manner and this will change the colouring of the finishing touch too.[16]

In his paper on the antinomies of culture, Markus discusses not two concepts of freedom but two concepts of culture. The so-called 'anthropological' concept according to which every group of people has its own culture, and the evaluated kind, which identifies high culture as 'culture' juxtaposing it to the 'low'. Just as both concepts of freedom are essentially modern, so are both concepts of culture. Markus follows the same argumentative strategy as in the 'On Freedom' paper; he demonstrates the internal contradiction between these concepts, which are not logical in the strict sense of the word, but appear in the unavoidable 'empirical' - contingent - context where cultures exist and work. One of the major contradictions within the concept of 'high' culture (at the end of the paper it seems as if it were *the* major one) emerges around the sharp dichotomy between natural sciences and arts, for it represents two diametrically opposed ideas (forms or tendencies) of life in modernity. One of them Markus terms the enlightened 'scientifisation' of life, the other, the

romantic 'aesthetisation' of life. And he adds: the planned rationalised society and the aestheticised closed community are not just unrealisable but *also negative utopias.* Neither of the two is in principle reactionary, democratic or elitist. It depends on the context and on the particular content of a conflict; that is on contingent factors, which of the two concepts of culture represent democracy, elitism or 'reaction' *hic at nunc.* It seems till this very point in this study as if Markus might have suspended (perhaps not given up!) his vision of the continuous and unlimited, yet always unfinished and problematised progress of modernity; as if he was resigned to rather accept the model of the pendulum. The conflict of the two concepts - and of the forms of life they embody - reproduce, so Markus says, the structure of modernity in a dynamic manner. This is, again, one formulation of the 'republican' model.

Finally, however, Markus does not abandon his normative stance. He just embraces it more sceptically, I would say, *malgre lui.* He concludes that the two concepts of culture run up against the wall (or the chaos) of contingency and two life forms suggested by the concept of 'high culture' struggle with each other and, in so doing, uphold the dynamics of modernity. Having arrived here Markus suddenly loses faith in this 'republican' description as well. As usual he now introduces solid empirical 'facts' or turns rather towards the culture-critical interpretation of certain contingencies; there are no more intellectuals, the rival programmes of both romanticism and rationalism are out of date, they themselves become real and cease to be ideal, cease to provide norms and so on. The horizon darkens, and it is at this point that Markus suddenly juxtaposes an Ought to the Is. He finishes this study with the very strong statement that one *ought* to introduce the question of the *good* in relation to the autonomous spheres of modernity (the word 'good' is stressed). I do not understand exactly what he means by this. But I understand his conclusion which he formulates in the guise of a question: are there consistent intellectual positions free from the illusions of both 'enlightenment' and 'romanticism', positions, from the standpoint of which the question concerning the good could be rationally and convincingly raised?

What does this mean? It means in all probability neither Enlightenment nor Romanticism can nowadays maintain (not even in their conflicts) their traditional normative roles. But this is not sure. Markus wants us to abandon 'the illusion' of enlightenment, and the 'illusion' of romanticism, but what is illusory in those illusions? Nothing other than their normative, idealised character. Why should we abandon both Enlightenment and Romanticism? Is it because they are illusions or because they are already embedded in reality and have become commonsensical, non-subversive? Is Markus looking here for a non-illusion-filled position, which is consistent,

rational, persuasive and at the same time subversive? In one of his other studies ('Ends of Metaphysics') he rather warns us not to distribute good and bad marks in as yet inconclusive competition. He says that we should not assume the role of a referee. I agree. Certainly, the task he offers us here is not the task of the referee, not to grade old teams that scored only momentary victories, but to figure out or put together a new team for a new competition, or beyond competition. This is what I call 'subversive'. And if subversive, what is it supposed to subvert? If the conflict between Romanticism and Enlightenment - the old teams - keeps the dynamics of modernity going, why should one seek an idea to subvert it? Or are these two kinds of discourse unable to continue to perform the task they have hitherto fulfilled? I ask these questions - and I could go on to ask others - since Markus insists that I - and all of you, the readers, intellectuals, philosophers - should join him and one another in conducting a discourse precisely about this matter. Yet, to ask additional questions is the only thing I can do. My questions are motivated rather by curiosity - to find out what Gyuri means roughly - than by the desire to find a good therapy, to cure a substance (*ousia*) called modernity, a 'something' the identity of which is controversial, let alone a diagnosis concerning its state of health or sickness.

Part Three

Modern philosophy has become fairly narcissistic. When in ancient times the famous inscription of Delphi, 'know thyself!' became perhaps the main philosophical imperative, 'thyself' referred to the philosopher/person and not just to philosophy.[17] But since modernity, and particularly from the 19th century onwards, philosophy became increasingly self-reflective. This tendency has reached its culmination in the present. Now philosophy has not just to redefine itself as it had done once before at the dawn of modernity, but also re-establish itself between tradition and modernity. It has to find its 'task' or 'tasks' after the destruction/deconstruction of metaphysics (which has been just one manifestation of the deconstruction/destruction of the pre-modern social arrangement). It has to redefine its boundaries, that is, it has to preserve or re-establish its identity. Yet as the personal identity of modern men and women are many-centred, so the identity of philosophy will also be many-centred.

Markus pays particular attention to the question of the contemporary tasks of modern philosophy. If we also take into account his studies on culture, one can say without exaggeration that the majority of Markus' studies in the last ten years are mainly addressed to this question, this

puzzle and this responsibility. I stress the word 'responsibility' in spite of Markus' (justified) critique of my antideluvian essay on the moral mission of philosophers. He belongs to the group of very few contemporary philosophers who take seriously the question of responsibility of philosophers. This is also a moral responsibility if one interprets the word 'moral' in a broad manner. It includes responsibility for philosophy itself. It includes the hidden imperative of *seriousness*. Philosophers ought to take seriously their task and the need to be committed to it. In Markus, the questions of what philosophy *is*, what is its contemporary *tasks*, are already raised from a broadly conceived moral ground of 'seriousness'. Markus, I repeat, tells us many stories about philosophy. I would overstep all limits put on the length of a study like this if I followed him along this path. Since I am still involved in presenting Markus' normative scepticism, I will concentrate on his own philosophical commitment. The multiple identity of modern philosophy is his 'natural' starting point.[18] He enumerates various tendencies and sects, among them (*Ends of Metaphysics*) also an 'anthropologically oriented' kind of philosophy. Since Markus believes that the single central question of modern philosophy is "what is man", he is obviously in sympathy with a philosophy that puts this issue at the centre of inquiry. This tendency, so Markus says, is rather narrative than demonstrative. It resigns the claim to demonstrative knowledge and the metaphysical tradition.[19] At any rate, Markus speaks not just of one tendency in contemporary philosophy but of several ones, when he writes that narratives as proper philosophical genres illuminate *our* history, even if they cannot endow it with an ultimate sense. They can still provide our world with a certain meaning and diminish its conflicts, lessen its anxieties. But this can happen, *if* (and only if) philosophers take upon themselves the responsibility that as a result of their theoretically well-founded considerations and from the perspective of certain chosen values, history can be construed to continue in this or that direction. Even if the tradition is no longer normative, there still remains normativity of a kind in our presenting, representing and arranging the tradition and in our telling history (the history of our own tradition, of course, first and foremost). A philosopher assumes responsibility for his thinking and also for his chosen values that guide his telling of his/her story.

One does not need to affirm selectivity in story telling, since one cannot tell a story without selection. However, one has to present (in a good old Weberian way) the standpoint, the criteria of the selection. The narrative, according to Markus, needs to be fairly consistent, for narration replaces the game of 'systematising', the story is substituted for demonstration. Not all narratives are philosophical in this normative sense, only the ones which satisfy the criterion of responsibility which include all the above

enumerated criteria. At this point Markus is less concerned with drawing a boundary delimiting philosophy from other cultural genres, but with the seriousness of the venture itself and with the question of responsibility.[20] He says that in order to get answers philosophy should insert its own questions and philosophical questions in the broader historical-cultural context of our age and to offer a path for the problematisation and (perhaps) rationalisation of the dilemmas and alternatives of this age. This is exactly what Markus is doing in the previously briefly discussed studies on freedom and culture. I mentioned already that in those studies he does something that, according to his own philosophy, philosophers in general should do: in their own timely way, they take upon themselves the task of philosophy in utter seriousness, in awareness of their responsibility.

Here I ask the same question for the second time although a little louder. If one tells a story on the ground of chosen values and makes a selection from the past (the tradition) accordingly, how will he or she present a path for the problematisation and (perhaps) rationalisation of the dilemmas and alternatives of his age? For the alternatives and dilemmas will already occur and be presented from the position of the chosen values (I would nowadays *rather speak of chosen fundaments*) *of the philosopher. A philosopher takes a position, a 'one-sided' position-perhaps, still with the illusion* that this is *not* what he is doing. He will present a true *opinion* among several true opinions. By saying this I do not reject Markus' normative scepticism, but add, or rather ask, only one thing of it that he would either accept or reject. If our understanding of the world (which is connected to our values and norms, even if 'ought' cannot be derived from 'Is') must always account for contingency, the throw of the dice, is it not *normative to also expand our scepticism to our norms?* Not insofar that one admits to have chosen them but insofar as one admits their fallibility? Is not the greatest paradox of modern philosophy that *one takes responsibility for norms, values, narratives, demonstrations and truths in the absolute awareness of their fallibility?* Is it not entirely secondary what kind of genre a philosopher practises? Is this *attitude* not what normative scepticism is mainly about?[21]

I think that Markus himself hesitates to answer this question. For he is himself entangled in the web of his own normative scepticism. On the one hand, no one is more aware than he of the fallibility of philosophy. This, in fact, is the root of his deep scepticism. Sometimes Markus does not want to take responsibility for fallibility, only for some kind of even residual certainty: then he sticks to normativity. It is a courageous, brave and stubborn attitude to restrict the task of philosophy to represent the non-fallible. But nowadays the area of the non-fallible has shrunken close to zero point and so does - in Markus' presentation - the task of philosophy. In

order to avoid nihilism, perfidy, irresponsible games, jokes, sophism etc, Markus sometimes leaves us almost empty handed.

I refer here first and foremost to the conclusion of one of Markus' already discussed papers 'After the System: Philosophy in the Ages of the Sciences'. In 'Ten Marginalia on the Responsibility of the Philosopher' (Markus, 1999b), Markus gives a different answer to the same question. Here he accepts the philosopher's responsibility for fallibility. The relation of these two papers resembles very much the relation between the studies 'On Freedom' and 'On the Antinomies of Culture'. I do not think that there is a 'development' in Markus' philosophy either in one direction or the other. He has changed his mind during the few years that divide the conceptions of these studies. Markus simply vacillates in two directions around the same point. Perhaps sometimes in one direction sometimes in another. What is at stake here is the relation between normativity (idealisation) and contingency in philosophy. Markus, who is one of the most conscientious contemporary philosophers I know, fights a very painful battle for and against his own idea of philosophy. There are two stakes: he has to give up philosophy as a genre with multiple identities and end up with an empty crutch, or he has to give up his orthodox normative scepticism and let contingency itself enter not just philosophical questions but also the answers. This means to allow philosophy to take responsibility for contingency itself and present strong statements, play serious games, offer interpretations, deconstruct and construct, ask questions and so on - and all in the full awareness of the greatest risks.

In both papers Markus presents his own idea of philosophy as 'orientation in thinking'. The difference is that in the former paper he denies even the orientative power of contemporary philosophy whereas in the later paper he admits it. 'After the 'System' concludes with the question concerning the task of philosophy. What can philosophy do today? Markus asks. And he answers: little. It cannot even orient us because only the single individual can orient him/herself in a concrete situation. Markus' argument goes back to his own basics: concrete situations, concrete individuals and their orientations remain forever external to the task of philosophy (for they are concrete, that is, contingent). If this is so, philosophy cannot offer orientation, it can offer only crutches for orientation insofar as it helps to develop certain cultural abilities, capacities. This is a modest claim for *minima philosophia*. But is it? Markus goes on telling us that the capacities developed by philosophy are useful for (individual, contingent) orientation; it teaches reflective distance, critical judgement, and to take conscious responsibility. Fine! However, a good and decent parent can do the same, works of literature can also do the same. What then makes philosophy philosophy? Absolutely nothing. Markus goes even further. He entertains

the illusion (for this is, in my view, the greatest illusion) that the philosophical tradition educates men and women in critical attitude, reflectivity and responsibility since philosophy equals enlightenment. For Markus the task of philosophy remains enlightenment; the word 'enlightenment' is stressed: it carries pathos. I think that here Gyuri mixes up two entirely different things: philosophy itself, on the one hand, and the reception of philosophy, on the other hand. The question he raises concerns the reception of philosophy (which can be, indeed orientative in this very narrow manner), but philosophy is not identical with its reception, and no philosophy true to its name is identical with the function it exercises, let alone with the *useful* function of enlightenment. Not just because philosophy cannot be identified with its reception, but because it is never entirely responsible for its reception. The critical employment of philosophy can have and often has a destructive power, it can orient the recipient as much in the direction of anti-enlightenment as in that of enlightenment. Hegel said that every good philosophy is dangerous, and this is true. It depends on the reception of philosophy, on the concrete situation of the single individual or groups of individuals who use it, whether it is employed in the service of enlightenment - in the normative way that Markus understands it in this context - or in reverse. Markus' occasional identification of enlightenment with light, truth, responsibility, and so on, simplifies the issue. Markus knows this better than I do. His employment of the words 'reason' and 'rationality' suffers from the same one-sidedness. Once Foucault talked about the revolving door of reason. In another place he said that reason is both light and tyrant. I would add that philosophy is also both. To return to one of my previous thoughts: enlightenment can be also nihilistic, destructive and so on. In the other study (written later, but not necessarily representing a 'more developed' idea) Markus takes a far more differentiated position. Here he says that philosophy is able to perform the task of orientation. It orients our thinking. (Only our thinking? never our action? nor our way if life? I would ask. But this is beside the point.) Moreover, philosophy can raise the problems of our time in a conceptual form, it can also develop a feel for the extension and the limits of our freedom and offer us orientations in this field as also in other fields, and so it can also mobilise out social imagination. Markus finally adds that the philosopher bears responsibility for all its diagnoses for he/she can be right yet can also be gravely mistaken. Finally, the philosophers share responsibility with the recipients of their philosophy.

Although this paper was dedicated to me on the occasion of my birthday, I think that Gyuri put on paper one of his own ideas concerning the possibilities of philosophy today. Let me again refer only to his paper on the antinomies of culture. Here he described both Enlightenment and

Romanticism as illusions and turned our attention to a third philosophical possibility. In the paper 'After the 'System' where Markus answers the question of what philosophy has to offer today, he answers: 'little'. He speaks of philosophy as the repository of enlightenment (its task is to develop the capacities to practice enlightenment) as if he does not regard the same task as illusory.[22]

This is where I see György Markus standing today. Everything is properly demonstrated, all the stories stick and are consistent (not entirely, but this speaks rather for them rather than against them). Yet everything is also standing in the balance. This is the special beauty of Markus' philosophy: the combination of tension and harmony. And there is no harmony without tension. In contrast to the constantly returning message of chaos, confusion, anxiety of our age and especially our contemporary philosophy, there is no sign of chaos, confusion or anxiety in Markus' philosophical writing. I promised to return at the end of this study to the Descartes-puzzle and so I shall. Let me ask the question: is Markus not hiding himself?

I think that Gyuri knows himself quite well. It was I who started to write this paper to get to know his philosophy and him better. Perhaps he will not recognise himself in my brief anti-psycho-analysis. But I still might speak about the yields of my inquiry. Who is the Gyuri whom I got to know from a few fairly recent works?

This is a man who swims against the tide, someone who maintains and preserves the old dignity of philosophy, a dignity he thinks (perhaps not always justly) to be constantly abused; he is a judge, who does not distribute grades and who understands the arguments of almost all parties who appear in the non-existing court of philosophy, yet who still excludes some of them in the well meant defence of the tradition. This man is a stout rationalist, who knows everything about the fallibility of reason, yet defends the same reason. He is a most honest philosopher, who never states something he cannot support with demonstrations or with narratives, a highly conscientious scholar, who is always taking responsibility for what he is saying; as a man who in fact orients with philosophy and not just in philosophy. Perhaps he orientates first and foremost not with the contents of his papers, although with these too, but eminently with his attitude as a philosopher. This same man is a philosopher, who - perhaps - hides his despair. Is it unfair to seize the ball thrown into my court by Gyuri on the occasion of my birthday and throw it back? Perhaps yes, yet I do it all the same. For it is my friend Gyuri who confirms rather than refutes my sometimes obscure ideas about the moral mission of the philosopher. He remains true to the mission he believes is outdated. As a contingent person, as such and such an individual 'substance', Gyuri stands here and cannot do

otherwise; he teaches understanding, dignity and reflexivity because he *does* it with understanding, with dignity and reflexively, because he is the embodiment of the philosophy for which he stands. He feels himself responsible for the work he does, for his world and for us. He is a master, a teacher, although he has no doctrines to teach. He is a schoolman although he denies himself a school. He lives according to his philosophy, although he never tried it. His philosophy is not just a text, but it is his own text, his living body. His writings are intimately connected with his speaking, although he thinks himself closer to Descartes than to Plato. His works are the mirrors of my true friend Gyuri: of a stubborn, rational, truthful, loyal, sceptical, old fashioned and still youthful fighter, who is - and always remains - himself.

Notes

1   In Markus' understanding Hegel is a strong metaphysician. My interpretation of Hegel is entirely different, however, this difference is of no relevance here.

2   In his study 'Ends of Metaphysics' (Markus, 1995, pp.249-270) Markus says, that in times of post-metaphysics philosophy generates little interest or respect. I think that rather the opposite is the case. Increasing specialisation as also the feeling of loss of meaning creates a strong need for philosophy. Perhaps not, or not only, for the 'right kind', if there is such at all. But this has never ever happened, so why should it happen exactly now?

3   Markus feels ill at ease if one understands works of philosophy as self-portraits of the philosophers. I rather like this idea. For me there are four Descartes (in plural) not just four texts. (Number four is *The passions of the soul.*) I take seriously what Descartes says about himself in a very Nietzschean manner '*bene vixit qui bene latuit*'.

4   I think that Plato was the first philosopher who let the adversaries speak their mind, at least to the same extent as Descartes does. The same can be said perhaps about Cusanus and Giordano Bruno. I would agree with Markus that among those who philosophised in argumentative prose, and amidst the circumstances of modernity, it was Descartes and Leibniz who created this *Republique*. I would, however, add, that Leibniz displayed far more understanding and tolerance towards his philosophical adversaries than Descartes, and - although a great systematiser - he was more pluralist minded.

5   In my mind, no single philosopher ever believed that this question could be answered by proof, demonstration or by the display of facts. They just found a place for man in the philosophical system, where he was duly inserted and explained. The *arche* (which could not be demonstrated but has to be accepted as the precondition of all demonstrations) already represented or included a normative image of man.

6   Here I would make two remarks. In another study Markus tells us that probability became scientific topic only in modern natural sciences. In a way he is right, but the principle itself was there in Aristotle. In Aristotle only the accidental cannot be an object of philosophical/scientific inquiry or generalisation, yet probability can. I have also some problems with Markus' assertion that for Aristotle the greatest

accident (one man is born free, the other slave) was considered necessary. This is in my mind not so. Only the perfect being, the being who reaches his/its own telos is necessary. That is: a free citizen is necessary being, yet a slave or also a woman are contingent, This is one example that Markus does not consider seriously the Aristotlean *steresis* as a kind of the contingency.

7   I have some questions here. Markus enumerates many different examples of the Aristotelian employment of the concepts of *praxis* and *poiesis* or *techne*. He wants to show us that Aristotle was not very consistent in his use of those concepts. This would be no deficit in my eyes. Yet I do not agree. For all the examples Markus gives point in one direction, to that of a fundamental distinction he also scrutinises in another study. The fundamental model of distinction is the difference between speech and writing, so important for the Greeks. The first is an activity that cannot be separated from the actor, which cannot be externalised, which will not stay there after the death of the actor/producer himself. Of course, this does not mean that *praxis* has no end. An end-in-itself is not meant to be without 'product' (*ergon*): theoretical science produces truth, political science action, but the product is 'in the producer' (see *Metaphysics*, Alpha the less, 993b 20). No wonder that constitution drafting or legislation are not considered *praxis* but *techne or poiesis* by Aristotle. The constitution, the law has to stay after the legislator's death. In modern words it is 'alienated'. A constitution is like writing (this was already the point of Plato *in The Laws*), yet theoretical life and political life are both kinds *of praxis*, since they are kinds of good life (similar to speaking not to writing). If you look at all the examples Markus refers to, one will find that Aristotle was as consistent as he claimed: he did not offend the principle of non-contradiction. I think that it was Hannah Arendt who gave a most reliable insight into Aristotle's concept of praxis.

8   Here I would make two remarks. In another study Markus tells us that probability became a scientific topic only in modern natural sciences. In a way he is right, but the principle itself was there in Aristotle. In Aristotle only the accidental cannot be an object of philosophical/scientific inquiry or generalisation, yet probability can. I have also some problems with Markus's assertion that for Aristotle the greatest accident (one man is born free, the other slave) was considered necessary. This is in my mind not so. Only the perfect being, the being that reaches his/its own telos is necessary. That is: a free citizen is necessary being, yet a slave or also a woman are contingent, This is one example that Markus does not consider seriously the Aristotlean *steresis* as a kind of the contingency.

9   I have my own problems with modern hermeneutics, but this is not the proper place to speak about them.

10   Markus, 'Interpretations of, and Interpretations in, Philosophy' *Critical Philosophy* Vol. 1, No. 1 (Ed) Crittenden Paul, Sydney, 1983, pp.67-85.

11   In my view modernity is based on freedom as on its *arche*, yet freedom is the *arche* which does not ground.

12   I discuss this matter in my *A Theory of Modernity*, Blackwell, Oxford, 1999 and speak about the 'temporalisation of the paradoxes'.

13   Eg. Cornelius Castoriadis, although a very utopian thinker, referred both to ancient Athenian democracy and to modern liberal democracy as the 'autonomous society' which is the realm of freedom.

14   I do not criticise this standpoint that I once also shared, eg. see my book *A Radical Philosophy*, Blackwell, Oxford, 1984. Subsequently I changed my mind and strongly emphasised the undesirability of the realm of freedom. (Even if it were

possible, it would still be undesirable.) I am ready to face Gyuri's anger that I do not argue against his standpoint and for mine. He would be even more angry if I answered that what is not desirable for me, and people like me, could still be desirable for others. I can, of course argue, for my standpoint, and I did so, but I am aware that Gyuri can also argue for his own. But is this discussion so different from the controversy between positive and negative freedom? And will not different human groups of actors sometimes be inclined to accept Gyuri's point, and sometimes mine?

15   I distinguish rather between two branches of Enlightenment: rationalistic enlightenment and romantic enlightenment.

16   Since I do not want to play hide and seek, I say openly that as far as the message is concerned I am closer to this paper than the former one. But this circumstance cannot decide the philosophical value or merit of the two papers.

17   This was also one of the critical remarks by Gyuri on my antideluvian essay on the responsibility of philosophers, which was his contribution to the Festschrift for my seventieth birthday. What was valid for ancient philosophers is no longer valid for the moderns. Markus expressed similar ideas earlier in his paper on 'Interpretation of, and Interpretation in Philosophy', (Markus, 1984).

18   Back in the sixties in Hungary, Gyuri wrote a paper on the pluralism in Marxist philosophy. For the authorities the suggestion that there could be a plurality of 'truths' was scandalous because they considered themselves the sole repository of absolute truth. For us, Gyuri's paper had a liberating effect.

19   In another paper Markus says that narration has a rhetoric effect in philosophy insofar it gives power or energy to otherwise demonstrative logic, Gyuri may have changed his mind, as we all do many times, or perhaps he had other kinds of philosophy in mind. Whatever the case, in this study narration replaces demonstration.

20   I have the impression that the reason Gyuri so vehemently rejects philosophy as a 'conversation' or as asking questions (without answering them) is because he has strong doubts about their seriousness and the responsibility of the suggestion. I think it depends. One can make a case for philosophy as a conversation in utter seriousness and sense of responsibility as one can also practice analytical philosophy and enjoy the game of demonstration with zero responsibility. Everything can be a sheer 'play' or a 'game', analytical philosophy no less than philosophy as 'conversation'. The question is not the genre but the attitude of the author.

21   For my part, I highly respect philosophies that could hardly qualify as works of normative scepticism even in my broadly suggested understanding. Gyuri will surely accuse me because of my a philosophical opportunism. But I try not to speak of myself which is always difficult for a philosopher.

22   As I mentioned in a bracket: I do not think that Enlightenment is an illusion, neither do I think that Romanticism is one. Markus does not take the same position in his other papers. I pointed at his formulation only to stress the difference in the conclusion of the two works discussed here.

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2 The Philosopher's Schizophrenia

MIHALY VAJDA

You are schizophrenic! - Gyorgy Markus accused me in the auditorium of Sydney University when I told the audience that I accept Heidegger's cultural criticism. In particular his view that, on the one hand, the 'first beginning' from which our Western thinking had taken its course has come to an end. Even if this ending could endure more than the whole of Western history until now. As a consequence we have to open ourselves to an *Ereignis*, to another beginning which would happen not as a result of human endeavours (Heidegger had taken the lesson of his short engagement to the Nazi-movement!), but as coming from Being. On the other hand, just because this process of ending, seen from the perspective of the finite human being, must be considered as practically eternal, we cannot simply wait for this new beginning. We can, without seeking redemption, introduce reforms inside our range of effect, in order to emend and to create more acceptable circumstances. I was absolutely not offended: I accept his judgement. To accept, on the one hand, the European type of modernity as a state of affairs which we cannot change as a whole; what is more, to interpret even our unsuccessful efforts to change it in its whole as ending in the worst cataclysms of human history, and to say, on the other hand, that modernity itself is going in the direction of the same, or similar cataclysms, as Heidegger's view of the epoch of *Ge-stell* undeniably suggests,[1] seems to be a view which is, even if not necessarily self-contradictory, at least embarrassing. Why can't I take either the standpoint of modernity with all its contradictions, take the standpoint of enlightenment with all the necessary reservations forced upon us by the history of the last two centuries, ignoring Nietzsche's and Heidegger's apocalyptic prophecies. In other words, to either try to show that their view is a one-sided and reactionary generalisation of the just mentioned lesson of modern history or to accept their view. And to do this without trying to do more, as if everything is in order, as if modernity gives us the necessary playground for a good and meaningful life.

Why? I see the truth of enlightenment and romanticism together. I see these two perspectives as complementary, even if I know that one truth is in contradiction with the other. It is impossible for both prospects to be realised at the same time. Modernity may be incapable of maintaining itself in an acceptable form without in the long run ending in a desert of nihilism. However, why is it absurd to live a good meaningful life in it provisionally (as each life is provisional, anyway!) - as long as it does exist in an at least 'partly' acceptable form? Human existence is historical and each human being is mortal experiencing only a short portion of human history. Why couldn't philosophy, an enduring creation of finite beings, unite the prospects of humankind and of human beings, or just of a single human person, living in a certain period of history? To represent exclusively the standpoint of humanity, without worrying about the individual, the normal procedure of philosophy from antiquity until the time when the proud consciousness of enlightenment sprung a leak,[2] became absurd. Just because we are unable to see any telos of human history that can console the individual for his or her miserable fate, to represent exclusively the standpoint of the individual is not philosophy but poetry.[3] But is it impossible to experiment with a kind of thinking whose goal is to locate the fate of, and to touch the possibilities of, a good meaningful life for an individual in our own time. And to do this without promising ourselves any kind of positive prospects in human history as a whole, even considering the most probable outcome of modernity to be the danger of nihilism?[4]

Part One

Dear Gyuri, now I have tried to give a more detailed, and perhaps a more sophisticated explanation to my schizophrenia; I did not find it superfluous to do so, even if in the Hungarian version of your essay 'The Ends of Metaphysics' (Markus, 1995) dedicated personally to me, you wrote, why, why not: 'To Misu who is surely not schizophrenic...'. I could give you a more sophisticated answer, partly because I have studied your very attractive, sober and, needless to say, very intelligent and clear essay, and I have tried not only to learn from it, but understand your own standpoint. To my surprise it seemed to me to be not less schizophrenic than mine, only more chaste; because you maintain with Hegel that personal opinion has nothing to do in philosophy. But: could you find anything else in philosophy than personal opinions? As far as I have understood you, you yourself had to confess that philosophy is *doxa* as against science, the assertions of which can be considered as *episteme*. Of course, not because science represents 'objective knowledge', and philosophy 'only something

subjective', but because of the 'cultural practices of the sciences which aim at the restriction and localization of the cognitively relevant differences in view (Markus, 1987). This practice is very alien to philosophy that seeks rather the confrontation of the views - why this is, and why it must be so, I will try to explain on the basis of your own writings later on, even if in a certain historical period, say, from Descartes and Bacon until Kant, it made the effort to become a science itself. The last effort to make philosophy a 'rigorous science' was undertaken by Husserl, by the last Cartesian in philosophy until now.

Just because of this fact I was stupefied while reading Markus' beautiful essay on Descartes when he, all of a sudden, writes as follows: 'If I myself were obliged to choose between the two Descartes' whom I tried to present [that of the *Discourse* and that of the *Meditations*' - M.V.], I would choose the third one: the Descartes whose voice resounds from his *Replies* to the *Objections*: No doubt, this is a finicky man, often engaged in hair-splitting, who time to time willfully misunderstands his partners, sometimes he is a bit mendacious, occasionally even a denunciator. This definitely not lovable persona is, however, exemplary to me. He is exemplary in doing what he does and how he does it (...) Descartes does not converse. He disputes, argues, sometimes is sarcastic, at other time prevaricates, he may on occasion appropriate a counter-argument to build into his own philosophy, at other time he clarifies or modifies his own theses. He takes his critics dead seriously - e.g. he does not answer to genuinely philosophical objections by easily available theological excuses -, because he wants to convince us with all possible means about the falsity of their standpoint. He defends stubbornly his truth as the truth itself, even at the price to be getting entangled in absurdities. And this - if you wish so, this "dogmatism" - is exemplary' (Markus, 1998, p.123ff, p.125).

'Descartes' exemplary dogmatism' - this indeed sounds stupefying. Even if this passage is perhaps the only one in the two newly published Hungarian books of the author where he speaks about the truth as something worth to fight for. The first Descartes, the Descartes of the *Discourse* isn't exemplary because he is not precise enough, he isn't inclined to perceive certain difficulties, because he converses instead of arguing in a strict manner. The *Meditations* and the *Principia*, in contradiction to the *Discourse*, are arguing in a strict form, but just because of the accuracy of the argumentation these works are highly ambiguous: even if they say, maintain the same as the *Discourse* beaming a self-secure optimism, they express, they show something else. Markus proves clearly that the second Descartes, the Descartes of the two theoretically-systematically formulated works, is anything else, but an optimist, he seems to be namely aware of the possibility that our certainties and truths

have nothing to do with a final metaphysical reality. Markus says the following:

> If we, latecomers, certain of our superiority, now instruct Descartes pointing out to him the self-contradictory and senseless character of any attempt at the rational self-legitimisation of reason, then we are not necessarily telling something very surprising for him. For he himself indicated that in this very enterprise we inevitably push understanding up to the very limits of that what is comprehensible for us: to make it touch the mountain of infinite Being that we cannot embrace. (Markus, 1998, p.121ff)

In Markus' view this sceptical second Descartes cannot be exemplary, either. Why, when not only we, at the very end of our century, but two centuries ago Kant was already aware of the limits of the finite human mind? Markus' curious statement about the mendacious Descartes fighting dogmatically even with unfair methods for his truth as the truth; his statement that this third Descartes is among the three the only exemplary one, is, I am sure, directed against tendencies in contemporary philosophy. He cannot accept these not because of their being 'untrue', but because of their irresponsibility and superficiality. It is not by chance that before beginning the analysis of Descartes' Markus' study reminds us of the following:

> Contemporary philosophy is in the danger of being polarized to such a degree and in such a way that can undermine the fragile unity of the discipline itself – a unity which in the modern times has always been realized only through the polemic dialogue of its opposed 'schools' and tendencies. Today we find, on the one side of the frontline, philosophies that refuse to recognize any form of discourse which does not satisfy the demands of rationality narrowly equated with strict logical argumentation, and which simultaneously often restrict themselves to the discussion of theoretical niceties of detail understandable and of interest solely to the similarly inclined professionals. At the other pole there are the more 'literary' philosophies of broader appeal, which may well suspend with an aesthetic irony the very truth claim of philosophy, and at times are inclined to treat logical argumentation itself as a form of impersonal and concealed coercion. The simultaneous presence of a multiplicity of divergent styles of thought and forms of discursivity has been a characteristic feature of the whole history of modern philosophy. What gives cause to apprehension today is the increasing disinclination to engage with each other in meaningful dialogue. (Markus, 1998, p.103ff)

This is the point. Markus' main concern is the unity of philosophy, a unity being realised in dialogues and seemingly endangered by the latest developments. Though I am not so sure that the fragile unity of philosophy

mentioned by Markus ever really existed in any other time than in the above mentioned period from Bacon and Descartes on, until, say, Hegel. This is the period where philosophy wanted to realise itself as a mathematical system of ideas founding the basis for the sciences: metaphysics as the root of the tree of knowledge - as Descartes formulated it. And even in this period there were philosophers who did not fit into this unity. Therefore they were forgotten for centuries, or more accurately: they were discovered as great only in our times, eg. Blaise Pascal, at best mentioned in the expert histories of philosophy in a few lines until the middle of our century. I am inclined, however, to disregard these 'facts' here. We could dispute endlessly about them. I'd rather simply say that the tendency mentioned by Markus no longer signifies a danger - the unity he refers to does not exist any more. This is a fact, but, as against Markus, this fact does not bother me at all. I could question whether philosophies which 'restrict themselves to the discussion of theoretical niceties of details understandable and of interest solely to the similarly inclined professionals' are at all worthy. However, I will not do so because one cannot question the rationale for the existence of a kind of spiritual activity accepted by the cultural institutions of the society. I could raise the question, again, whether philosophies 'inclined to treat logical argumentation itself as a form of impersonal and of concealed coercion', denying the necessity, or even the possibility argumentation are likewise worthy or not? But this question is just as senseless as the above one. If these kinds of authors find publishers and readers for themselves then they can exist notwithstanding the fact that they do not satisfy my personal taste. I mean namely that there is a difference between fiction and philosophy. The determining factor of the difference is just the fact that in the case of fiction it is illegitimate to ask about the truth of its statements, while in the case of a philosophical text, however, you can ask: do you mean really that it is just so?

And now we are really at the point. Markus asserts that there are '…"literary" philosophies of broader appeal which may well suspend with an aesthetic irony the very truth claim of philosophy'. It is so. But this suspension of the claim to truth does not mean unavoidably that the representatives of such kind of 'literary philosophy' would be averse to the discussion of their assertions. If they are really philosophers, they must be open to such discussion. They would not, however, defend their truth as the truth, being aware of the fact that 'truth' in philosophy has not too much to do with the truth in the sciences; my 'truth' in philosophy is not the truth. A scientist is a person who enforces in his field of exploration the principle of the excluded third. Not because he would necessarily think that the principle 'X is A or X is non-A and a third possibility is excluded' is universally valid, but because he belongs to a community that posits this

principle as valid in its field of exploration. Whoever does not share this position while acting in his field is not a scientist. A philosopher is, on the contrary, a person whose standpoint is the following: I see this or that so, and for the time being I am unable to see it in any other way. I can, I even will explain to you why it is so. But I am aware of the fact that there are others who see it differently, and their view can be just as well founded as mine. I'm inclined, of course, to discuss my assertions with everybody who is interested in the problem. Whether anybody can convince me that my view is absurd, unacceptable, dangerous, etc. I do not know. But even if this were not the case, the public discussion, the clash of the standpoints can contribute to the widening of our horizons; can create a more wide field of meanings. In her last unfinished work, *The Life of the Spirit* Hannah Arendt wrote the following: 'The need of reason is not inspired by the quest for truth but by the quest for meaning. And truth and meaning are not the same. The basic fallacy, taking precedence over all specific metaphysical fallacies, is to interpret meaning on the model of truth' (Arendt, 1978. p.15). I do not want to discuss here Arendt's thesis that can be seen undeniably as a bit simplifying. However, one thing is very important to me: I cannot accept the identification of the denial of 'truth' in philosophy, the philosophical 'perspectivism' in Nietzschean terms, with the rejection of the rational discussion, and what is more, with the rejection of the duty to argue. If I simply proclaim my doctrines rejecting to discuss them, then I am not a philosopher, but a priest.

Part Two

Having read Markus' two volumes I was convinced, again and again, that Markus is of a similar view. He mostly analyses modernity on the basis of Hegel's concept of the end of history. The coming into existence of a world which is, of course, definitely not motionless, but in which the conflicts among the free individuals, and between the free individuals and the system of institutions can be solved with the help of continuous reforms. That's why it is unnecessary to overthrow the social-political order in order to change it. However, there has to be a form of cultural activity flexible enough to cope with the difficulties continuously coming to the fore. The relative independence of the free individuals from the society, and the relative independence of the different social institutions from each other produce the 'appearance' that the finite being is senselessly contingent and self-contradictory. A cultural activity can fulfil this task only if it realises itself in the struggle of different kinds of imaginations regarding the meaning of the movement as a whole. This cultural form is surely not

modern science, though it wants to represent the only possible form of a reasonable world-view.

However, when science actually tries to fulfil this pretension, if it makes indeed the effort to answer all the questions we can raise, moreover must raise about the world, then it ceases to be empirical science. It becomes a kind of 'scientific world-view', a kind of not very attractive and even not satisfactory substitute for religion (*Ersatzreligion*) - says Markus interpreting Max Weber (Markus, 1992, p.35ff).

Why are art and religion no longer able to fulfill this function, Markus explains in his essay 'Hegel and the End of Art' (Markus, 1996). At the end, for Hegel at least, only philosophy remains which could satisfy our need for a home-like world. 'Art is rooted in the same human need that gives rise to religion and philosophy: to find and disclose an abiding meaning in the seemingly senseless accidentality and contradictoriness of finite existence, in the externality and alienation of the world of life; to make the world ultimately man's own home' (Markus, 1996, p.10).

Nevertheless today '[O]nly philosophy is able - and it *is* able - not to stylise away the contradictions and tensions of modernity into a simple harmony (...), but to grasp the resolution of these contradictions in their incessant movement. Philosophy is the only cultural form that can reconcile us with the essential characteristics of modernity and at the same time offer a critical standard in respect of its particular historical realisations. Philosophy does not endow the senseless and the accidental with an imaginary meaning, but discovers the higher meaning, the super-individual reason in the necessary and lawful play of these very accidentalities' (Markus, 1986, p.122). Philosophy represents for Hegel the ultimate possibility to create meaning in a seemingly senseless, and contingent world. '...he is the heir of Enlightenment. But his defense is already characterised by signs of a deep resignation.' He was, after all, aware of the fact that the only spiritual-cultural form able to reconcile us rationally with the phenomena of modernity proved itself to be accessible only to the few, to a select intellectual elite. Hence '[i]f religious representations lose their power over the people, then there are no longer cultural forces which can provide meaning for the life of the majority and stop the growth of destructive nihilism. (...) His [Hegel's] philosophy stands at the turning point where the historical faith in culture ends, and our discontent (and bewitchment) with culture begins' (Markus, 1986, p.122ff).

I would like to say that there are two continuous movements in Markus' thinking. The one by which he proves, again and again, that philosophy is the only cultural form, the only cultural activity maintaining itself through the permanent confrontation of its different trends. That's why it, and only it, is able to clear up the meaning of existence in a contingent world, where

there is neither firm faith revealed by God, nor *any fundamentum absolutum inconcussum* found by human reason. The other one is the struggle of resignation and grasping the last slight hope within his own thought. Markus shows, again and again, that the confrontations characteristic of philosophy are not those of 'truths', but of meanings. Philosophy's effort is namely to create meaning in a senselessly contingent world. The last great philosophy that did not separate creation of meaning from discovery of truth was that of Hegel: characterising modernity, he spoke only about a seemingly senseless and contingent being.[5] As we have seen Hegel's resignation was rooted precisely in his doubts regarding this very possibility. Markus' analysis of the Aristotelian concepts of *praxis* and *poiesis* can be seen as aiming at the separation of the discovery of truth from creation of meaning (Markus, 1986a). His charting of the 'philosophies of culture' around the turn of the last century can likewise be regarded as a sympathetic criticism of the described efforts (Markus, 1998b).

'Acknowledging that the modern natural sciences, emancipated from the burden of metaphysical speculation, can fulfill only an instrumental role, philosophy of culture, at least with Dilthey, Windelband, and Rickert, asserted the existence another large group of sciences. In their case, the requirements of scientific objectivity, including the need for empirical confirmation, are still reconcilable with their ability to provide a firm orientation for (individual and social) life' (Markus, 1998a p.57). But all these efforts to reconcile objectivity, or at least rationality, and meaning came, necessarily, to nothing.

> Within the Western cultural tradition philosophy originated as the breathtakingly audacious enterprise aiming at the consistent rationalisation of human way of life, of the whole of our life. We cannot but recognise that this enterprise in its most original and radical sense has ended in failure. We can, however, continue philosophy after its acknowledged fiasco, we can affirm and simultaneously overcome its tradition in a meaningful way only if from a plurality of standpoints relevant to us. From a variety of cognitive and practical commitments, we must still endeavor to carry through this attempt at the consistent rationalisation in thought, every time from the chosen standpoint running into its concrete untranscendable limits where it breaks down under the contingency of life and history. (Markus, 1998a, p.125)

We cannot give up philosophy. What is more: we cannot give up metaphysics either. The reign of metaphysics as a system has declined, but its ghost is present and nobody can expel it (Markus, 1995a, p.253ff). This is because there is a need for a kind of orientation in our historical situation characterised by the feeling of disorientation and the experience of

contingency (Markus, 1995b, p.155ff). I agree with Markus that philosophy can fulfil this function of orientation only if beyond what it 'says' it also expresses an attitude which cannot be completely rationalised, 'a cognitive and practical way of relating to ourselves, to the others, and to the world in general'. I agree with him that philosophy can do this only if it does not deny itself, if it tries to follow its own traditions: if it argues. There is no philosophy without argumentative confrontations. What I cannot accept, however, is Markus' view that the philosophical trend, the new tradition conceiving itself as an - always unsuccessful - effort to overcome onto-teleology, humanism, metaphysics would mean necessarily also the renunciation of this argumentative discursivity (Markus, 1995b, p.154ff). Without the introduction of new conceptual frameworks, without ensuring customary criteria of judgement that repudiate such denunciation, there is no possibility of orienting ourselves in a world whose tendency is describable with the traditional conceptual framework.

In the light of Markus' books I will reformulate my thesis on the schizophrenia of the philosopher. In my above formulation, I am afraid, there is, even if in a hidden form, too much of ungrounded 'knowledge'. The schizophrenia of the philosopher lies in the fact that the elements of the world we are able to describe with our traditional 'rational' concepts do not fit into the senseless, inconceivable, and irrational whole. I know two works in our century that fully confronted this 'fact'. Lukacs' essay *'Reification and the Consciousness of the Proletariat'* (Lukacs, 1971) and Heidegger's *'Schelling's Treatise on the Essence of Human Freedom'*, (Heidegger, 1985) The first, the more 'rational' one, did not want to relinquish the possibility to rationalize the 'whole'. We know the final result. The second one, the more 'irrational' one, was the beginning of the resignation of the philosopher, of his insight: Humanity is not master of the existing (*des Seienden*), humanity is the shepherd of being (*des Seins*). Something the second Descartes already guessed. Why choose, then, the third one, who acted as if he knew everything?

Notes

1   The fact that Heidegger cites Holderlin's lines again and again: 'Where the danger is, also grows the rescue (*das Rettende*) 'says in itself nothing against the view that Heidegger is the worst apocalyptic cultural critic of our times. Who knows what is this (*das Rettende?*). Heidegger surely not. Holderlin is for him the poet of the other beginning whom we, just because of this fact, really cannot understand.

2   Beginning with Kant, I cannot see in the greatest representatives of German idealism anything else than different efforts to stop this leak. Surely all of them are fiascoes. But, as Heidegger says, and this is something Markus would subscribe, '...every philosophy fails, this belongs to its concept. Common understanding, no

doubt, concludes from this: it is not worth one's while!, because for it something is worthy only in the case that it has a tangible pay-off. The philosopher, on the other hand, concludes from this fact to the indestructible necessity of philosophy and does so not because of the opinion that at some day this failure could be overcome and philosophy be made "complete". Philosophy is completed every time when its end becomes and remains what its beginning is: the question. For only in so far as philosophy abides by questions, does it force the questionable to come in' (Heidegger GA Bd. 42. p.169). Everything that has been important after the death of Hegel (with the very important exception of Edmund Husserl) did not try to stop the leak any more. Beginning with Kierkegaard, Marx and Nietzsche all the great philosophers of our time try to sail on a ship with a leak.

3   Kierkegaard seems to be an exception. But even he felt himself obliged to represent the standpoint of different single individuals - at the same time. That's why he used different pseudonyms. (See Z. Gyenge's text in Gond No. 18-19, Budapest.)

4   Opening ourselves, at the same time, to the *Ereignis* is surely not obligatory. Or? Isn't it the only possibility to preserve or just re-construct the dignity of the individual, if we don't exclude the very improbable possibility of a world that is not nihilistic? If the philosopher doesn't want to be a priest or a fortune-teller he mustn't exclude this, without, however, fostering the hope of it.

5   As I mentioned already, in the post-Hegelian philosophy there was only one great figure who wanting to realise philosophy as a rigorous science consciously rejected the separation of truth and meaning: Edmund Husserl. His heroic, and unsuccessful fight for an 'objective' truth which does not annihilate human freedom was not by chance the starting point of almost all sincere and important philosophies of our century. Before a philosopher reconciles himself to the fact that meaning cannot have a firm ground, he has to confront himself with the last hopeless effort to create this latter.

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3   A Family Quarrel: Markus and Heller on Philosophy

JOHN GRUMLEY

George Markus and Agnes Heller met in a corridor of the University of Budapest over forty years ago. As young lecturers in the Department of Philosophy they soon established a close friendship that has endured to this day. In those early years they became core members of the informal group - the so-called 'Budapest School' - that formed around Georg Lukacs in the last decade of his life. At that time they saw themselves as contributing to a common programme inspired by Lukacs for the Renaissance of Marxism and the internal reform of 'really existing socialism'. This programme founded on the harsh reality of historical events in 1968. The Budapest School subsequently fragmented largely around the issue of how to respond to the loss of their own 'illusions'. After several years of 'political' unemployment and harassment Markus and Heller along with their families finally decided on emigration. Yet this decision, which landed them in Australia in 1978, did not signify the continuity of a joint philosophy programme. Although they joined forces along with Ferenc Feher to write the influential critique of really existing socialism *Dictatorship Over Needs* (1983), their views have taken different directions and their writings assumed an idiosyncratic shape befitting two very different personalities. Heller has kept on the move - Melbourne, New York, Budapest - and is still meeting commitments all over the world. Her publishing record has maintained the same frenetic pace. During this time she has published almost two dozen books which have fleshed out a comprehensive philosophical vision - critique of modernity, theory of rationality, ethics, justice, post-modern philosophy of history and aesthetic - all establishing her as one of the leading figures in contemporary critical theory. Markus, on the other hand, since 1978 has continued to live and teach in Sydney. Over this time he has laboured on a single major project - a theory of cultural objectivation - which remains unfinished. At the same time, he has published three other books *Dictatorship Over Needs* (1983

with Feher and Heller), *Language and Production* (1986) and *Culture and Modernity* (1992) and many essays that have cemented his world-wide reputation amongst scholars. But this difference in mobility and productivity is only an external index of personality and temperament. Even more interesting is the way these internal differences are expressed in philosophy. In Markus' historicist scepticism and Heller's reflective post-modernism. This paper will explore this difference between these two acknowledged masters who have devoted their lives to the philosophical quest. In reconstructing their family quarrel about the scope and limits of philosophy we will perhaps gain some insights into the possibilities of contemporary philosophy.

Philosophy as Rational Utopia

With a writer as prolific, encompassing and brave as Heller it is not surprising that she has given shape to her ideas on the task and contemporary meaning of philosophy a number of times. We will begin not with her first but with her most comprehensive attempt *A Radical Philosophy* (German in 1978, *Philosophie des linken Radicalismus*, English, 1984). Although this is today Heller's least favourite book, it is, I think, very revealing of her philosophical motivations, her normative vision and expresses much that has remained crucial to her own philosophical self-understanding.

This book was the immediate result of a quest to find a post-Marxist radical philosophy. Despite the New Left rhetoric and the tone of imminent emancipation, this was in essence a tentative exploration of the contemporary prospects of autonomous radical philosophy. Heller's uncertainty is registered in her conviction that even in this first liberating venture into the terrain of radicalism she needed to go through Marx ('master of left-wing radicalism') in order to get beyond him (Heller, 1984, p.137). This sense of temporary uncertainty is strengthened when she states that in a historical context of immanent threat from modern professionalisation, the task of philosophy is to return to itself (Heller, 1984, p.21). In context, this meant that philosophy needed to recapture its own initial critical social function dependent upon autonomous thought and critical questioning. However, this return also signified the embrace of an obsolete classical conception of philosophy which Heller soon realised was in its aspirations a kind of closure out of joint with the spirit of the times. Yet, at the time, Heller was able to identify her own personal liberation and exploration of post-Marxism with a more general diagnosis

of philosophy finally reasserting its own autonomy against the dead-ends encountered earlier this century. In this context, the return to roots seemed plausible.

The basis for this plausibility was a certain perceived parallelism between the contemporary situation of philosophy and the historical grounds of its initial emergence as an autonomous cultural objectivation. Heller argues that philosophy had only recently emerged from the 'dogmatic dream' she associates with positivism.[1] Awakening from dogma is one way of thinking about the flourish of critical questioning that accompanied the onset of the dynamic historical conditions, which saw the initial birth of philosophy. It is Heller's deep desire for a 'worldly philosophy' that accounts for this stress on its social embeddedness and its orientative function. She emphasises the primacy of the practical in maintaining that orientation in the world is the principal function of philosophy. Heller associates this function with demythologisation. The capacity for discriminating values and a form of life does not arise from subordination to the existing but from philosophy asserting its own autonomy. This is not simply a matter of knowledge or autonomous cognition but primarily an attitude that gives form to a shape of life (Heller, 1984, p.10). As this is the case, it comes as no surprise that she views marginalisation as the natural condition of philosophy. Philosophy has an elective affinity with conscious exclusion and the 'dangerous times' that provide the scope for its forensic critical distance.

Heller is also quick to acknowledge that the twin desires for social embeddedness and critical autonomy, functionality and transcendence exist in permanent tension. In fact, the tension between these two is constitutive of the philosophical enterprise. For a long time philosophy was able to ignore the question of its own embeddedness and identify this quest for the 'truth' and the 'good' with naïve astonishment (*thaumadzein*). However, every philosophy is clearly a child of its time and none can abstract from the cultural baggage that orientates its questioning. These are not limits but the substance of the famed 'irony' of philosophy. The normative philosophical attitude requires a managed abstraction from prejudice and false consciousness that can be orchestrated by none other than prejudice itself. In the sense, philosophy must remain a song of both innocence and experience, of a practiced naivety and knowledge, a quest for a 'nowhere' that is always from somewhere. For Heller, the trick is to keep hold of both aspects of this tension. Philosophy must continue to reflect on its own conditionedness without pressing this to the point of its own self-destruction. Simultaneously it must still attempt to cast aside all partiality in its instinctive drive for totality and universality. In the past, philosophy

could ignore its own historicity in achieving the closure of radical transcendence. While in this immediate post-Marxist phase Heller could still find this reconciliation inviting, she recognises that in conditions of modernity this can be nothing more than a postulate, a philosophical utopia that is, nevertheless, an effective ideal of our time (Heller, 1984, pp.64-66). However, she acknowledges the deeply utopian character of the philosophical project as a whole and its constitutive tension. Every philosophy questions what 'is' from the standpoint of what 'ought to be' while the 'ought' can only be deduced from the 'is'. The studied innocence of the questioning disguises a secret anticipation of the likely destination. Only in this way can the vista of demythologisation open up which allows an ascent from prejudice and ignorance towards philosophical insight. Thus each philosophy constructs its own world on the basis of the tension between these two (Heller, 1984, p.13). This derivation is no troubling paradox but the essence of the utopian character of philosophy. Furthermore, philosophy distinguishes itself from other utopian enterprises by imparting rational form to this quest. Philosophy is the bearer of rational utopia because it requires its own reasoning be endorsed through a process of disciplined and systematic thinking (Heller, 1984, p.13). This is why it addresses itself to a generalised reason. It is not concerned with the cultivation of a particular audience but with perpetuating an orientation to rational and methodical thinking. Heller believes that it is this openness to rational argument that makes youth the natural constituency of philosophy. They have not been hardened against the persuasions of rational argument (Heller, 1984, pp.17-18). While other philosophers are rarely seduced by philosophical argument, youth is the embodiment of openness, thirst for knowledge and rational persuasion.

This focus on philosophy as a discipline of thinking is full of an ambiguity that will increasingly preoccupy Heller's thoughts as she elaborates her version of post-modernism. At this stage she was content to register the fact that this concern with the inculcation of a mode of thinking was one of the main reasons that philosophy had historically found its vital institutional home in the School. However, she is quick to insist that the best philosophical graduate is not the epigone but the pupil who surpasses the erstwhile teacher (Heller, 1984, p.20). This follows from the fact philosophy is primarily not about the acquisition of greater skill and expertise but the creation of new utopias, novel articulations of the unity of the true and good.

The particular urgency of this point arises in Heller's mind from the pervasive professionalisation of modern philosophy. For her, the task of philosophy cannot be a meek capitulation to this trend. In a world where

the division of labour and specialised knowledge has increasingly dissolved the connection between the partial and the whole, philosophy still acts as a counter-tendency to an irrevocable total reification. The genuine philosopher resists the reduction of philosophy to a mere occupation. In this respect, the difficulties of the present do not amount to its impossibility. In the same vein, Heller insists that philosophy stands in an uneasy tension with democracy. The mental effort required and the contestation of *nomos* means that democracy will always look with suspicion at the intentions of philosophers. However, constitutive of philosophy is the democratic relation between teachers and pupils. The opposition of authority and innocence must be subsumed in the overarching equality of a dialogue founded on the presupposition that all are equal.

If philosophy is to reinvent itself from its own cultural resources in a way that allows it to meet contemporary challenges and changed historical conditions, Heller's main requirement is that it rediscover its sovereign autonomy. It must come out of the shadow of the hard sciences to affirm its own structural truth (Heller, 1984, p.21). In an age when the empirical sciences no longer need or request methodological confirmation, philosophy can no longer purport to be the queen of the sciences. However, the growing concern about the relation of science to society, of partial empirical domains of 'facts' to their contexts and their interconnections still offers philosophy much gainful employment and a bright future. Only it can satisfy the need for value rationality by mediating the part and the whole in the fusion of its creative rational utopias. At the same time, in order to prosecute its high critical task of demythologisation, philosophy must maintain the clarity of rational argument. This is the discipline of a dialogical thinking that questions everything. Yet, as we have already noted, in accord with the constitutive tension Heller sees at the heart of philosophy, this will always be carefully orchestrated rather than nihilistic. Philosophy must straddle this tension between foundational astonishment and conditionedness of all knowledge. This means that the necessary false consciousness of philosophy can never be overcome. That the desire for secure foundations and the highest good is, in the final analysis, a necessary false consciousness that can only be gradually corrected by perpetual polemics and belated recognition of the internal pluralism of philosophy (Heller, 1984, p.25). Heller acknowledges the contemporary pluralism of philosophy as the basis of a healthy polemics in which competing philosophical utopias put forward rational claims for their own vision.

Before we go on to note in more detail Heller's almost immediate disenchantment with this first post-Marxist effort, we should summarise its features. Although this account is historically informed and offers a historical diagnosis of the contemporary condition of philosophy, it is still essentially quite abstract. Heller offers a nuanced classical Platonian version of the philosophical enterprise. This first philosophy interpreted through the prism of Heller's own praxis orientated biography is to be the normative model of radical philosophy in general. The force of this model is somewhat vitiated by the concession to contemporary philosophical pluralism. However, it still rules out much that marches under the banner of contemporary philosophy as pseudo-philosophy and is remarkably selective in its reading of philosophical developments in the 20th century. The figure of totality may have been explicitly repudiated along with the philosophy of history but it continues to lurk behind the idea of philosophical utopia. The reduction of this to a regulative idea cannot belie the essentially classical spirit that guides Heller's reconstruction. Even Heller's concession to contemporary pluralism seems half hearted as it comprises only a vague gesture towards the existence of competing rational utopias that remain without details and elaboration. Furthermore, Heller fails to address the numerous commentators who have noted the exhaustion of utopian energies in our time. While they supply a range of reasons for this demise, one might well conclude from their analysis that the epoch of the identification of philosophy with utopia is past and that Heller seeks only to prolong an obsolete paradigm.[2]

The Post-Modern Leap

As Heller gained more distance from her immediate Marxist past she quickly realised that her 'radical philosophy' was not nearly as radical as it needed to be. The specific historical conditions of modernity required more adequate expression if her philosophy was to really move with the spirit of the times. The import of these conditions and its spirit is summarised in *A Philosophy of History: In Fragments* (Heller, 1993): consciousness of historicity, our sense of the contingency of the Western historical odyssey and the increased multiplicity of perspectives underlining the pluralism of modern society. These factors combine to underline the unprecedented character of experience in modernity.

The modern individual is 'born free' insofar as their life is posited as an open book of opportunities from which the individual will choose a self-made destiny. This understanding gives expression to a heightened

awareness of contingency. The older pre-modern sense of cosmic contingency is supplemented by the new modern sense of social contingency or 'thrownness'. The uniqueness of historical situation is underlined by this awareness of social fate as something to be made. Despite our dearly posited 'formal' freedom, we are now confined to the prison house of historicity and the reflective cultural consciousness that accompanies it. This consciousness of our own historicity has now become absolute. For Heller, it is this reflective post-modern consciousness that must be integrated into a contemporary understanding of philosophy.

Hegel could conceive philosophy as a unity that unfolded in, and through its many shapes. One of the distinctive features of philosophy as a genre was the eternality of its characters with all philosophers drawing from a common pool. But Hegel's successors cannot share this view. For them philosophy is conceived as a narrative of permanent revolution: the constant repudiation of previous forms. Originality now consists in the introduction of a whole new cast of characters and drastically rearranging parts of those that remain. The last fifty years has witnessed the growing personalisation of philosophy and a rapid turnover of characters that only rarely outlive their creators. We have already noted a certain tension in Heller's argument for the 'School' as the natural institutional home of philosophy. Her concern was that the School be no agent of epigonism nor result in the death of creative innovation. She now suggests that perhaps the long-term historical trend for the subjectivisation of philosophy has even rendered the school obsolete.

If philosophy is to survive this trend and the challenge imposed by the new conditions of historicity, contingency and pluralism some of its categorical mainstays must be radically rethought. What Heller has in mind can be gathered from her analysis of reason and truth.

The whole philosophical project rests on reason as an institution of the philosophical imagination. Reason is the common thing that allows us to share a world with others and arrive at that certainty which resists deception (Heller, 1993, p.93). Humans only become fully human when they unite their private and public worlds in their creative imagination. Only the philosophical distinction between *doxa* and *episteme* protects us from the deceptions of subject dreams that are sometimes imposed upon us. While this guard against the excesses of rampant subjectivity is vital, is it exhausted by the requirements of identity logic? Heller is not about to join the chorus loudly trumpeting the 'end of reason'. However, she does put the question: how common does the 'common thing' have to be (Heller, 1993, p.93)? The real meaning of apocalyptic slogans is not the abandonment of reason but of the quest for unachievable certitude and the

call to make peace with finitude. What is crucial for Heller is issue of stringency. Whether we call it reason or not, what is required is something that remains with us but is not the same for all of us (Heller, 1992, p.106).

The tendency to subjectivisation in modern philosophy is also reflected in the demise of the dominant concept of truth in our times. In this culture there exists a plurality of discourses all with their own criterion of truth. Without the authority of tradition the truth that still resides in Absolute spirit has been privatised by personal interpretation. Heller views this trend to privatisation and our ensnarement within historical consciousness as complementary. The spirit of our congregation is that of hermeneutics. Our contemporary quest for truth encompasses all of the past as well as the present. While this is a large circle, it is still a circle and within it truth is subjective. We are intensely conscious of our entrapment within historicity. Even the whole presented to us by hermeneutics does not allow us to claim knowledge of necessity. Thus, we are, as Heller puts it, deficient Hegelians. The truth of our whole is only a truth for us that cannot be legitimately ascribed to other cultures. The result is the pursuit of personal salvation that is circumscribed by the irony that consists in the knowledge that it is self-defeating to try and escape the spirit of the times. The philosopher can do no more than bang their head against this limit exploring the sense in which historicity has become the new absolute.

This new intensity of philosophical self-reflection is a product of the modern full consciousness of historicity. The traditional scepticism of the past finally gave way to the exploration of the aporias of truth. Post-modern philosophers have abandoned the quest for absolutes and universality in search of a truth that does not compel. The enlightenment quest for an absolute world picture was conditioned by a politico-cultural project aimed at sweeping away asymmetric social relations. But modern philosophy of science suggests there will be no final criteria of truth. This is not to say that we cannot make assertions about truth in general. However, Heller is not interested in correct inference (Heller, 1993, p.126). More compelling is the human capacity to simultaneously inhabit multiple realities; each with their own distinct rules, and concepts of truth (Heller, 1993, p.117). In the context of this capacity, true knowledge must be understood pragmatically as a kind of 'know-how' and 'know-what' that facilitates our orientation in the world. Here our concepts of truth will be inflected and shaded in various ways. Heller suggests that we must wager on our capacity to play multiple language games. This simultaneity allows us to criticise some rule and norms from the standpoint of others. We do not have to accept all the criteria of a specific sphere in order to navigate successfully in it (Heller, 1993, p.132). The content and criteria of truth

will be in constant flux and only by moving beyond the aspiration to certainty and absoluteness to a post-epistemological concept can we hope to keep abreast of the question of truth.

In accord with the historical trend towards the subjectivisation of philosophy, Heller asserts that the truth is subjective. This is no concession to solipisim but a redirection to the subjective aspect after an epoch mesmerised by objectivity. Emphasis on the subjectivity of truth entails the inevitability of wagering. The wager is on a truth for this subject. This is not identical to 'my truth', as the truth cannot be possessed. Thus the subjective aspect of the truth resides not in its source, nor its content but in its edifying potential (Heller, 1993, p.133). This truth is of existential providence, connected to the whole of an individual's existence. Modern existence is played out in the flux of an ever-changing hierarchy of truths. But the idea of truth is the regulative idea of a meaningful conduct of life. Here truth signifies an existential synthesis, a narrative 'event' connected to no 'fact'. Rather it corresponds to the unprecedented modern struggle of the subject with the full awareness of his/her own contingency. Reconciliation with this contingency requires the repudiation of a dominating concept of truth in favour of one that celebrates the recognition of other truths as both the affirmation of the self and the highest form of the recognition of the other (Heller, 1993, p.133). In such recognition the concept of truth incorporates negation as its own dialectical sublation.

Continuity and Reflection

Despite her retrospective dissatisfaction with the rhetoric of her book on philosophy already referred to, Heller admits that 'only a few thoughts in that book would entirely disappear from my future philosophical endeavours' (Heller, 1994, p.284). Certainly if we compare the two stages in her development there is a fundamental continuity in her understanding of the general philosophical project. For the reflective post-modernist Heller philosophy is still a rational self-reflection concerned with demythologisation, critique and self-orientation. However, along with this overarching continuity some essential details and terms have changed and these add a different inflection to Heller's understanding of philosophical radicalism.

Heller's book on radical philosophy celebrated pluralism and the break with the Marxist grand narrative. The post-modernist Heller has continued to explore the consequences of this pluralism and its impact on a viable contemporary philosophy. This exploration permeates the whole of her

post-modern conception. We have already noted her reconstruction of the history of modern philosophy as a tendency towards subjectivisation. The dominance of philosophical schools gives way to individual revolutions that often do not even survive the life of their instigator. Heller notes the impact of this change on the utopian moment of philosophy. In pre-modern times characterised by traditional virtues and static need structures an individual's utopia could be offered as a panacea (Heller, 1993, p.57). This is no longer possible in the age of individualisation. As need structures and dreams of happiness become more individualised, the images of social and political conditions that might realise them become more idiosyncratic. The classical utopias offered a holistic vision of the unity of goodness and felicity. Yet increased individualisation rendered this so idiosyncratic that even major contemporary utopias do not promise such perfect wholes. Thus Heller speaks of the resulting *fragmentation* of contemporary utopian reality (Heller, 1993, p.60).

Another of the most decisive consequences of her conception of an increasingly individualised philosophy was the erosion of her rationalist bias in understanding the limits of philosophy. We have already seen that in *A Radical Philosophy* Heller demarcates philosophy from the domain of religion by restricting it from those questions of finitude, death and nothingness that simply make us 'dizzy'. While such a demarcation seemed to her critics quite arbitrary and narrowly prescriptive in its construction of the scope of philosophy, it became quite untenable for Heller herself once she affiliated philosophy so clearly to the liberated individual imagination. However, in order to overcome residual ethico-political concerns regarding an unmediated identity of philosophy with subjective imagination she then asserted the necessity of a divorce between speculative and practical philosophy. She identifies the former with a distinctive originality that is more personal and subjective. The philosopher gives shape to his/her own distinctive set of philosophical characters less dependent on the traditional pool. This radical freedom extends even to those 'dizzy' topics that she formerly excluded from the consideration of rational philosophy. Yet, the same idiosyncracy was proscribed in the domain of practical philosophy. In this province the subjective imagination is constrained by the need to address the common thing, the *res publica* we all share. This constraint militates against the pure subjectivism permitted speculative philosophy. Whether such a Chinese wall between speculative and practical philosophy is ultimately sustainable is open to question. While this is not a metaphysical dualism in the Kantian sense, it appears to constrain the dynamism and interplay between subjective imagination and social normativity in a wholly artificial way. Be this as it may, the motives

underpinning Heller's strategy here become even clearer when we contemplate her reflective post-modern radicalism.

The Heller of *A Radical Philosophy* associated radicalism with the total critique of society and Marx's desire to get to the root of things (Heller, 1984, p.134). While critique remains an indispensable and central element of Heller's understanding of philosophy, her reflective post-modern turn introduces a greater complexity into her appreciation of radicalism. Like Marx, she refuses the title of 'radical' to any claim modelled on perfection and absolute transcendence. For her, radicalism implies immanence and the exploration not to some abstract beyond but of existing possibilities within our dynamic modernity (Heller, 1994, p.289). For Heller, such exploration is always a utopia and she understands radical utopias as those that explore the possibilities of the world of symmetrical reciprocity. However, as there are almost as many such worlds as there are philosophers, there remains a need to discriminate between them. This is where Heller reasserts what she calls her 'thin rationalism'. Having liberated subjective imagination within the domain of speculative philosophy, criteria of rationality still remain in the domain of the practical. For Heller the essential core of philosophy from the beginning was the right use of reason in order to avoid deception. Even in its modern configuration that has abandoned certainty and the logic of identity, rationality must be understood as the best remedy against deception and chaos. Heller argues that here the radical has two choices that both take their rise from the Enlightenment. Reason in its deconstructive post-modern form is a destructive negating all norms and taboos. Heller calls this version of post-modernism 'naïve' because it lacks irony and the self-reflection that would allow it to terminate its destructive spiral short of the brute self-assertion of particularity. 'Reflective' post-modernism, on the other hand, has fully learnt the lessons of the failed 19th century grand narratives. It takes the contingency and historicity of the human condition seriously enough to always be questioning itself (Heller, 1999, pp.1-2). It is precisely this constant questioning that allows the reflective post-modernist to appreciate the paradoxical character of the modern and its dual commitments that Heller calls the 'double bind'. While paradox assumes a variety of forms in modernity, Heller finds its principal manifestation in modernity's dual allegiance to both technological and historical consciousness. A radical philosophy is judged by Heller to be 'rational' when it is able to maintain a balance between these two commitments. Somehow the pursuit of universality and regard for particularity must find a sustainable equilibrium. It thereby avoids the chaos of self-destructive negating critique and the one-dimensional worship of the existing. Heller no longer identifies radical philosophy with

total critique. A philosophy can be radical as an agent of stability and balance in a dynamic world pledged to the ideals of symmetrical reciprocity (Heller, 1994, p.289). The Heller of *A Radical Philosophy* articulated her concept of radicalism in continuity with the socio-political emphasis laid down by Marx. Reflective post-modernism has fully absorbed all the implications of the practical failures of total critique. The ethical concerns that have always pervaded her work are now registered in the concept of radicalism itself. It is radical to treat humans as end rather than as mere means (Heller, 1994, p.290). A philosophy is radical if it assists in maintaining the equilibrium of a social project that incorporates this ethical maxim into its pursuit of symmetrical reciprocity.

In accord with her celebration of contingency, Heller is prepared to acknowledge that her practical rationalism is more fragile than, say that of Habermas. She is determined to anchor her position not in quasi-transcendental domain of language but in the immanent but more volatile terrain of history. Heller argues that in a modernity without certainty rational discussion cannot begin without the acceptance of at least one value at a first gesture. Heller votes for freedom as the leading value ideal of modernity that has established itself as an empirical universal. Heller maintains that this value is the manifestation of the norm inherent in the modern social arrangement of symmetrical reciprocity and the one accepted as the highest substantive value by us moderns (Heller, 1994, p.290). Heller acknowledges that some moderns may decide against modernity and reject the value of freedom but this is completely in keeping with her agnosticism regarding the survival of modernity and refusal to predict the future in the fashion of her illustrious predecessors. Against the more pertinent objection that the value of freedom is itself too abstract and in need of more supplementary definition in order to arrive at the sort of value agreement implied by Heller, her response is that such a move would have 'spoiled the whole argument' and 'told an entirely different story' (Heller, 1994, p.219). I take this to mean that contemporary social life is engaged in a value discussion around precisely this value and to specify it any more substantively would be to foreclose this debate and theoretically suppress the modern pluralism it expresses. However, this reply begs the question that the possibility of such a value discussion is premised on the general consensus surrounding this value. In arguing that freedom has become an empirical universal, Heller seems to think that on this basis there is sufficient consensus for the debate to be ongoing.

Having realised the empty nostalgia that permeated her first attempt at a post-Marxist radical philosophy, Heller has warily embraced the 'spirit of the times'. Her reworked model retains some of the main aspirations of the

classical template while responding to the changed historical conditions of heightened contingency, historicity and pluralism.

In the Wake of the 'System'

While György Markus shares Heller's general understanding of philosophy as a reflective 'making sense of the historically and socially contingent flow of experiences',[3] which he calls the orientative narrative type, he offers a very different diagnosis and response to the contemporary state of philosophy. Even their style and authorial voice is quite opposed. Heller admits that she reads other philosophers only for 'fascinating or at least clever thoughts'. She is not particularly interested in their answers for she 'prefers to develop (her) own' (Heller, 2002). Heller makes no bones about the fact that history and the views of others are subordinated to the primary task of developing her own solutions. While there can be no question that Markus has equally strong views of his own about the 'crisis' of philosophy and the way beyond it, for the most part he prefers to adopt the voice of historical description. He presents an account of the historical evolution of the 'crisis' of philosophy in relation to the idea of the 'philosophical system' before describing alternative contemporary programmes. He recognises that amongst the range of competing programmes, all offer insights into the present crisis and he has no way of disapproving them but can only explain what motivates his own choice (Markus, 1995, p.152). The relative weight in his analysis is, descriptive, historical; more concerned with comprehensiveness and 'objectively' weighing strengths and weaknesses.

Markus chooses to see the present crisis as a consequence of the demise of the dominance of the system in philosophy. His contention is that the 'system' became the hegemonic mode of doing philosophy from the early modern period into the 19th century. However, the general historical and cultural conditions that sustained this hegemony have receded to the extent that philosophy is now required to rethink its identity. Whether philosophy can reconstruct its own mission and remain viable, as an autonomous cultural objectivation in the light of this crisis is a question Markus leaves open.

He argues that the historical moment of the hegemony of the 'system' in philosophy rested upon a fragile equivalence or rough identity between philosophy and science in the early modern period. As the processes of cultural differentiation advanced and the dominant place of science as a primary functional power was secured, this identity has given way to an

antagonism which has shaken the traditional self-understanding of philosophy. In some very crucial respects the answers given to the question of the identity of philosophy today depends upon the way in which one interprets and responds philosophically to this perceived antagonism.

The epoch of the 'system' rested upon the way in which the various historical forms of philosophy were unified by the essential similarity of the way they conceived the *role* and *function* of philosophy/science in the totality of human life (Markus, 1995, p.145). It was this unity which determined the normative expectations of the various philosophies, how their meaning and truth claims were to be comprehended and therefore the way they could and ought to be evaluated (Markus, 1995, p.152).

We gain some sense of the power of the paradigm of the 'system' from the Markus account of its basic constituents. (1) Philosophy is a chain of objectified cognitions available to all. Markus emphasises that this was the fundamental conceptual precondition under which the modern autonomy of cultural accomplishments became intelligible. For the first time, the idea of the system divorces philosophy from the personal relations and from direct instantiation in the lives of practitioners (Markus, 1995, p.146). (2) This objectified knowledge possessed a purely immanent sense. This requires that it be understandable and strictly evaluable in and by itself. Although classical antiquity had created the concept of scientificity as knowledge of necessary and universal truths based on proof, its procedure of inference remained beyond the competence of philosophical episteme in other faculties like nous or wisdom. In the final instance, the universal validity of this knowledge was compromised. These faculties were anchored in the sensus communus of a shared culture and common tradition (Markus, 1995, p.147). By contrast, the system made good its claim to radical immanence by enforcing the principle of epistemic democratism. The claim for meaning immanence was now interconnected with the demand for subjective certainty, an intuitive self-evidence that was equally available to all. This produced a productivist view of knowledge grounded in the labour of a method that transferred self-evidence from unshakeable foundation to ever-new truths. The result was that the system synthesised a new openness of continual productivity with the closure of solid foundations and rigorous method (Markus, 1995, p.148). (3) The system also overturned the unchanging and eternal character of classical philosophical truth. The productivist notion of knowledge was tied to a new philosophical rationale of active collectivist control and power. Thus the universal must now be located in the causal laws of change. However, Markus makes it clear that for the great systems power over nature was only one aspect of human freedom. They still attempted to embrace physics

and ethics in a single coherent conceptual construction. This was expressed in the idea of philosophy as the promise of the harmonious reconciliation of the demands of both self-preservation and self-realisation (Markus, 1995, p.150).

Typically, Markus views the very success of the new 'system' idea of philosophy as paradoxical. It is both the source of philosophy's achievement of autonomy and the explanation of its crisis as a cultural form. This radical revision of the idea of scientific rationality overcame the rigidity and narrowness of the classical paradigm by allowing for the incorporation of formerly servile technical knowledge. As a result of this incorporation and its functional success the sciences were finally able to divorce themselves from philosophy. Their increasing autonomy and fallibilism rendered the requirement of philosophical legitimation untenable (Markus, 1995, p.151). Once queen of the sciences and identified strongly with scientificity, the tensions between philosophy and science then increase. For many scientists, philosophy was soon judged inferior due to its functional impotence and the unceasing conflict and indeterminacy surrounding the truth claims of its speculations. On the other hand, from a philosophical perspective, science clearly paid for its strength in these respects with a loss of edifying capacity and an inability to explore values or meaning. While in modernity science becomes the dominant constituent of high culture and a principal force of social functionality, it also loses the wherewithal to reflect on the growing 'irrationality' of its own developmental process and, more broadly, on its problematic relation to society as a whole (Markus, 1995, p.142).

For Markus, this increasing mutual antagonism is just a symptom of more general and fundamental strains within late modernity. A product of increasing cultural differentiation, pluralism and the conflicts they engender, these are a constituent of a paradoxical situation where the rapid increase of our knowledge seems only to be matched by a decreased capacity to orientate ourselves in our world. Our intentional acts often generate complex and unforeseen consequences that we are unable to fully control. Yet, the growing gulf between science and philosophy is less important than the fact that as the latter becomes more critical of science, it deals with it less and turns inward focusing on itself and the question of its own identity (Markus, 1995, p.143). This question is also a response to these more general strains and practical dilemmas as well as an index of a heightened modern cultural self-reflexivity (Markus, 1995, p.152). In keeping with modern pluralism, there are multiple answers to the fundamental question: what is Philosophy? All reflect various attitudes and alternatives arising from responses to these pervasive social contradictions.

Markus wants to demonstrate that the contemporary crisis of philosophy is not some elitist academic debate far removed from the most pressing problems of our everyday lives. Nor, as we have seen, does he think there can be a definitive answer to this question. He wants to explore the alternative programmes. This is done in ideal-typical terms grouping a range of individual programmes according to their common features, aspirations, strengths and weaknesses. Finally Markus considers what a 'post-systemic' philosophy in general has to offer in the face of the paradoxes modernity puts before us.

Contemporary Options

The theme of the tension between science and philosophy is very much to the fore in the designation of alternative programmes. Recognising the hegemony that science still exercises in contemporary philosophy, Markus nominates the 'scientifisation' of philosophy' as the dominant contemporary programme. This programme takes science itself as its main object and analyses the structure of its theories, their internal logic and methods. It views itself as an internal analysis of science with the professed end of transforming philosophy into a science. Yet this end is as far from being realised as ever. There is still no consensus amongst its various schools and trends. The major shortcoming of an internalist account of contemporary science is that it takes the present form of science as immutable, lacks a critical perspective and is therefore quite incapable of dealing with a whole range of questions concerning the place of science in contemporary society and culture (Markus, 1995, p.153). This programme is primarily concerned with an ideal of rational validation that has increasingly been put into question by contemporary philosophy of science, an ideal the various positive sciences, in any case, no longer seem to require (Markus, 1995, p.152).

If the first programme has identified itself closely with science, the second has taken the part of the excluded 'other', that is resistant to rational categorisation. This programme usually associated with the various strands of post-modernism assumes the almost impossible task of giving voice to that not at our disposal. As contemporary culture is dominated by the sciences it has usually chosen the negative option of 'deconstructing' the deep structures that have allegedly determined the whole direction of the Western intellectual tradition. The recent history of modern philosophy indicates this task is more easily articulated than achieved. A series of announced philosophical revolutions follow the predictable scenario of

condemning their most recent predecessors for still remaining captives of metaphysics (Markus, 1995, p.154). For Markus, the greatest difficulty associated with this programme is that its advocates are committed to a performative repudiation of conventional philosophical means. This effaces genre boundaries and renders the criteria of legitimate critique uncertain. If argumentative prose and polemic dialogue are tainted by domination, the philosopher has little recourse than to an authoritarian dogmatism or prophecy alien to the spirit of philosophy (Markus, 1995, p.155). If this principled externality threatens to turn the philosopher into a guru, its practical implications are even more dubious. Viewing the present as the last phase of a modernity deeply contaminated by its metaphysical commitments, it counsels either restless expectation of the 'turn' or unconditional acceptance of the existing in all its contradictions on the grounds that this tradition is what we are. Markus finds no mediation between these two attitudes without deep ambiguities (Markus, 1995, p.156).

If these first two programmes take stands primarily in relation to modernity as 'the age of the sciences' and try to determine the identity of philosophy in these terms, the third programme favoured by Markus adopts a more indirect but also more encompassing approach. We have already mentioned that Markus suspects the current identity problem of philosophy is one element of the much more complicated modern socio-cultural complex. Today we are uncertain about both our destination and how to get there; our past and future do not form a seamless continuity. What is needed is orientation. The third programme attempts to provide just such a general orientation in thought that will allow us a sense of where we have come from and where we might be going (Markus, 1995, p.156).

Yet, what contemporary philosophy can really contribute to the task of orientation is, according to Markus, much less than formerly supposed. An important element is a diagnostic function. Philosophy can analyse and reconstruct the tradition of the present. This involves illuminating the normative and factual preconditions of the dominant existing practices and privileges. However, Markus has digested the lessons of Western Marxism. This diagnosis cannot presume to construct a meaningful totality, as this would repeat all the errors of the philosophy of history. What is still possible is to effect a totalisation within a given culture from the standpoint of existing potentials and chosen values (Markus, 1995, p.157). This allows distantiation from certain practical and cognitive assumptions that are presently taken for granted. But even in this diagnostic function philosophy is constrained by the limits of its competence. The question of where we have come from is not one that it can answer on its own

authority alone. Furthermore, philosophy purports to deal with the universal. This requires that it relate the present to a general paradigm of the human relation to the world conceivable on the basis of present possibilities. The specificity of philosophy lies in relating the present to this assumed universal existential image (Markus, 1995, p.157). However, Markus admits that there is no definitive model but a plurality of competing paradigms reflecting a diverse range of practical and value priorities. Philosophy can no longer offer a single vision of the good life. Its cultural function consists in articulating a range of socio-cultural options that make possible a reflective choice between alternatives (Markus, 1995, p.157).

But Markus is not through with his sceptical deflation of philosophy's previous aspirations. His difference from Heller on this point could not be sharper. He makes it crystal clear that he does not associate this orientative function with the theoretical construction of concrete Utopias. While he concedes that the successful prosecution of the orientative function requires the general existential paradigm to be interconnected with the articulation of a practical attitude to the present, he does not think that the contemporary philosopher has any particular credentials for utopian thinking. Whereas the Heller of *A Radical Philosophy* believed that authentic philosophy is at home in the 'dark times' of marginalisation and resists philosophy as a job, Markus accepts the fact that professionalisation has all but consumed any special talent for utopia that resided with philosophers. Clearly Markus feels that a rational defence of this orientative understanding of philosophy requires that the practical attitude be confined to 'formulating an evaluative attitude to the collisions and conflicts interpretatively diagnosed' (Markus, 1995, p.158). Moreover, this can no longer be conceived as positive knowledge. Connecting evaluation with facts is not a simple matter of inference but of cogent narrative which renders our present and future meaningful so long as we adhere to certain chosen values and courses of action.

For Markus, this requires us to rethink what constitutes the 'rationality' of this form of orientation. Abandonment of the claim to positive knowledge is not emancipation from all criteria of scientificity. As Markus makes clear, because this is theorised conceptual narration, philosophy must still fulfil certain disciplinary norms: conceptual clarity, logical consistency, and empirical justifiability. Failure at this level allows grounds for refutation. However, even more important is the fact that if the narrative is to be meaningful and satisfying, it must also be plausible and relevant to our own lives. The minimal aspect of this 'rationality' consists in this existential relevance and plausibility that Markus considers the real

spirit of philosophy and its core aspect. While the demands of scientificity cannot be ignored, the fate of a philosophy is ultimately decided on this plain of existential satisfaction (Markus, 1995, p.159).

In formulating this new understanding of philosophical rationality 'after the system' in terms of its maximal and minimal poles, Markus articulates the sense of paradox that more generally permeates his understanding of modern culture as a whole. When required to answer the question of what contemporary philosophy has to offer, he is quick to assume his maximalist sceptical countenance and reply 'little'. Orientation is ultimately an individual task and as philosophy operates only on the plane of the universal, it can offer not even orientation but only 'guide posts' to orientation. The maximal contribution that philosophy can make to this is the faculties sharpened by its disciplinary practices: critical questioning, judgement, reflective distancing. However, Markus has already told us that this is not the 'core', not the spirit of philosophy. Behind the stern maximalist countenance is the ironic smile of the minimalist. In another paper Markus admits that 'afterall' philosophy is more than its propositional content. This 'more' turns out to be all the specificities of philosophy as an autonomous cultural objectivation. This is not just the machinery of argumentation, not just the honing of critical faculties and judgement but also its own narrative structures and speculative constructs (Markus, 1997). In other words, both the maximal and the minimal aspects of rationality are indispensable to the philosophical task of orientation. When Markus asserts that dogmatism is exemplary for the philosopher, the dogmatism of asserting his/her truth as the truth, he makes it clear that this is not simply a question of 'facts' but also of their meaning (Markus, 1997). Even when Markus is endorsing the traditional philosophical claim that the truth is not just the 'truth for me' but the universal truth (the maximalist claim), he concedes that such an exemplary philosophical truth is the also the bearer of minimal rationality.

Is Radical Philosophy Still Possible?

Heller has chided Markus for what she views as the residual normativity in his account. She argues that behind his emphatic historicisation of the philosophical project and its sceptical probing of all universalist claims, there remains a stubborn normative element. He has even made the sceptical reflection upon the social and cultural conditioning of his/her own normative claims normative for the philosopher. However, Heller argues that he has not allowed this recognition of contingency and

fallibility to infect the normative status of philosophy itself (Heller, 2002, p.20). As we have seen, this means that there can be no philosophy of the singular. Philosophy speaks in universal propositions and so it has nothing to do with contingencies. It can offer nothing directly to the orientation of the individual in their concrete circumstances. From the outset, philosophy constituted its independence as a cultural genre by devoting itself to the search for truth alone using the means of reason alone (Markus, 1984, pp.79-80). For Markus, this exclusive quest for truth employing the demonstrative arsenal of argumentation, logic, clarity and consistency is exemplary in its dogmatism. While the history of philosophy is the dispute between its various schools, Markus maintains that it was this single-minded pursuit of the truth that constituted the overriding unity of philosophy beyond its perennial dissension. To abandon the attempt to convince addressees of this claim to truth, to only ask questions, give tentative answers or be ironically inconsistent is to breach this constitutive limit and endanger the survival of as a specific cultural enterprise.

Yet, Heller equates this position with a conservative reluctance to digest the full consequences of the recognition of modern contingency. The burdens and opportunities of social contingency have fuelled the modern quest for subjective meaning. This is reflected in the modern tendency that sees philosophy being increasingly subjectivised artd pluralised. In this light, Heller springs to the defence of the conversation model of philosophy dismissed by Markus as 'coffee house chatter'. She sees nothing wrong with some philosophers publicly engaging in edifying conversation and elucidation; in problematising issues without pretending to know the answers to their questions. As longer as they pursue their 'truth' without denying others the option of building more impressive systematic structures (Heller, 2002, p.17). For Heller, this is all part and parcel of the modern pluralist culture facing up to the recognition of contingency.

On the face of it, the logic of Heller's position seems compelling. Why defend the besieged normative concept of truth in philosophy if it results in the exclusion of a whole range of cultural practices which both offer and deliver subjective orientation and meaning. Mikhaly Vajda supports her case by forestalling the equation of this rejection of a normative concept of truth with a descent into irrationality. He argues that Markus' insistence upon the 'dogmatic' pursuit of truth is largely directed at the superficiality and irresponsibility of some contemporary philosophy sailing under the banner of post-modernism. However, Vajda responds that the denial of truth does not mean the end of rational discussion. The literary philosophies that suspend their truth claim are not adverse to philosophical

argumentation and are quite prepared to rationally defend themselves (Vajda, 2002, p.41). It is certainly true that Markus takes the whole question of responsibility of the philosopher very seriously. However, approaching this issue from the standpoint of responsibility is probably not the best way to understand Markus' provocative advocacy of the dogmatic pursuit of truth as exemplary.

Markus' defence is really undertaken from the standpoint of philosophy itself (Markus, 1984, p.82). While this is unquestionably the sort of normative claim that Heller views as resistant to the full claims of modern contingency consciousness, Markus is just as adamant that what is at stake is the very identity of philosophy as an autonomous cultural enterprise. His argument is that concession to historical contextuality and fallibility at the normative level threatened both the fragile unity and very existence of the genre. The original demarcation of philosophy itself as *episteme* from *doxa* rested heavily on the philosopher's commitment to a unique endeavour with a specific aim and method. The aim was truth and the general method was secular rational argumentative demonstration. In the past the philosopher either as *sophos* or representative of *everyman* acted as the voice of secular universal reason. This cultural normativity implied a public role and function. In the period of Enlightenment this required the suppression of particularity in favour of the republic of letters (Markus, 1998).

Markus agrees with Heller that the historical dynamics of modernity have undermined this public functionality of philosophy. What she refers to as the historical trend to subjectivisation, he describes as modern privatisation of philosophy (Markus, 1998). Under this changed social perception, philosophy supplies visions that can be consumed like commodities. As such it is reduced to the status of a private opinion. As a consequence, the pluralisation of philosophy is not just a fact to be reckoned with but also a norm. For Markus, this is the crisis of philosophy. An index of this crisis is the antipathy displayed by alternative contemporary philosophical programmes for their competitors. Often opposed positions simply defame and talk past each other. This version of incommensurability seems to deny the possibility of common normative standards and thus render problematic any talk about the unity of philosophy (Markus, 1998). Focusing on precisely this point, Vajda contests this alleged unity of philosophy both as an ideology of the past and a fiction that bears no relation to the contemporary state of philosophy (Vajda, 2002, p.41). Yet, no one is less likely than Markus to deny these historical and contemporary facts. Pointing to the well-known exceptions in the history of philosophy does not destroy the cultural power towards

cohesion exercised by this norm in the past. Nor is the fact of contemporary diversity necessarily an argument against the desirability of unity as a norm. For Markus, this is really an argument about the viability of philosophy into the future. He concedes that this future is very uncertain and those like Rorty who predict the demise of philosophy may be right (Markus, 1998). However, this is not a necessary outcome. For Markus, the continued survival of philosophy and its best chance of future vitality rests upon the continued proclamation of its normative unity in terms of a commitment to truth. Yet, in contemporary cultural conditions even this is not sufficient. This proclamation must be rightly understood. In summing up the main tendency in Markus' recent writings on philosophy, Vajda speaks of his view of philosophy not as the confrontation of truths but of meanings (Vajda, 2002, p.44). This is a reference to the narrative programme in contemporary philosophy. We have seen that Markus has given it his own reading which incorporates the synthesis of maximal and minimal concepts of rationality. We have seen that this is not so much about positive knowledge but of a story that illuminates our history and makes it more meaningful. Such narration keeps its feet on the ground by speaking in its own voice - meeting the conditions of maximal rationality – while it speculatively translates contemporary problems into diagnostic totalisations that both orientate and generate common understandings.

Markus' understanding of this orientative potential is marked by his own sceptical deflation of philosophical expectations. We have already noted that this reading confines philosophy to general orientation in thought. Its proper domain is the universality of a general paradigm of the human relation to the world that can only be expected to provide 'guide posts' to orientation and certainly not concrete ways of life or individually tailored advice. In this respect, the absence of an explicit ethical writings in the Markus oeuvre is symptomatic. The contrast with Heller could not be sharper. She remains committed to the classical conception of moral philosophy and its brief not only to say what ethics is but also to answer the questions: what we should do? How can we be happy? She strains against the minimalism of modern ethics to convince readers of the reality of the 'good' and find a place for philosophy as an ethical 'crutch' for the modern individual in the contemporary everyday.[4] Similarly, Markus has emphasised against Heller that philosophy has no special credentials in the production of utopias. While Heller struggles against the reduction of philosophy to a job and measures its authenticity and originality in terms of its creative capacity to give shape to new utopian images, Markus is decidedly more sober. While he views the minimalist spark as the speculative core of philosophy and the essence of its ability to satisfy

addressees, his account of this speculative element gives no special licence to philosophy in the domain of utopian thinking. He tends to align this speculative aspect not so much to creativity but to analysis and reconstruction of the tradition (Markus, 1995, p.156). However, this does seem to introduce a certain tension into his conception that we have already registered in his analysis of a rethought rationality. Heller questions the viability of the sceptical maximalist programme and Markus' consistency in adherence to it. To my mind, this interpretation misses the fusion of minimal and maximal rationalities that remains at the centre of Markus' idea of philosophy. Yet, even on this interpretation, questions remain. In what does the speculative 'core' of philosophy consist, when the philosopher has no special capacity for utopia and the minimal aspect is confined to analysis and reconstruction? Can the latter provide the spark that even for Markus remains the essence of philosophy?

While we have focused on significance differences, these should not obscure one vital respect in which both Heller and Markus remain very much in accord. Both fit into what Markus has called the 'narrative programme' and Heller has characterised as a mode of philosophical thinking that attempts 'to make sense of the historically and socially contingent flow of experience'. In this respect, both have abandoned powerful philosophical illusions of the past. Neither believes that philosophy could be the voice of eternal *logos* or the representative of universal human reason. Nor do they purport to speak to pre-given audiences like the like-minded members of the school or scientific elite of the republic of letters. Both agree that philosophy can neither abandon itself to a solely professional readership nor to the applause of the faithful in a principled pursuit of extraterritoriality. In their alternative conception of engagement, the philosopher is just another reflective member of his own audience trying to translate the problems of the epoch into stories that strike a chord with their fellows and generate solidaristic understanding of the modern condition of contingency. The differences explored in this paper reveal two very different philosophical temperaments. More substantially, but linked to these, they reveal two very different philosophical styles, different diagnoses of the 'crisis of philosophy' and its implications. However, in the light of this fundamental agreement these differences remain merely a family quarrel.

Notes

1   Heller argues that the 19th century culminated in a struggle between the
     philosophical or philosophy. Paradoxically both these programmes ultimately

founded on their unshakeable belief in total reification. While this is a very selective reading of 20th century philosophy, the emphasis on positivism gains some credence, from Heller's perspective in the mid-seventies, by the outbreak of the so-called '*Positivismus Streit*' in Germany during the late sixties.

2   For a few analyses of utopia along these lines see Shklar. J. *After Utopia*, Princeton University Press, 1957, Habermas J. 'The New Obscurity: The Crisis of the Welfare State and the Exhaustion of Utopian Energies' *The New Conservatism*, MIT, 1989, Kolakowski, L. 'The Death of Utopia' *The Tanner Lectures on Human Value*, Vol 4, University of Utah Press, Salt Lake City, 1983.

3   See' A Reply to My Critics' J. Burnheim (ed.), *The Social Philosophy of Agnes Heller*, Rodopi, Amsterdam, 1994, p. 282.

4   This is despite the fact that Heller adopts new forms in the last volume of her ethical trilogy *An Ethics of Personality* in order to remain, allegedly, in tune with the 'spirit of the times' and is not in the business of giving moral advice.

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4   On Liberty: A Dispute with György Markus

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Serious thinkers tend to have a single central concern that determines the entirety of their work. Markus' central problem is the Enlightenment. By Enlightenment we do not refer exclusively to the intellectual movement of the mid-eighteenth century, but to the much older philosophical tradition that underlies it. Markus, however, is not inspired by the content of the tradition itself but by its internal dilemmas. He has scrutinised the contradictions of the Enlightenment at least as thoroughly as the authors of the counter-Enlightenment did. Yet he is not one of them. He does not want to abandon the programme of modern philosophy; he does not even think such a turn would be at all meaningful. The question he poses is this: how can one cogently criticise the Enlightenment tradition and at the same time retain at least certain parts of it? What is it that makes the fundamental ideas of the Enlightenment rationally defensible even in the face of all the well-known objections?

Part One

Markus is concerned first of all with the antinomies of modern culture.[1] There are but few occasions when he digresses into the domain of political theory; nevertheless, the treatise I examine here concerns politics. It analyses the modern conception of liberty. Its main insights may be summed up in three theses.

First of all, the modern notion of liberty has three basic characteristics: *universality inalienability*, and *indivisibility* (Markus, 1992 pp.274-75). Universality signifies that one may rightfully claim only such liberties against the government or other people that may at the same time be granted to everyone else as well. Thus, liberty must not be the privilege of few. The traditional notion of inalienability refers to the claim that there are certain rights which even their bearers cannot transfer either to other

individuals or to the government. Markus, too, has this notion in mind when he uses the term. Yet there is more to it than that; Markus holds that no one should be denied the opportunity (for whatever collective benefits) to choose autonomously the course of his or her life. To put it otherwise, personal liberty should have primacy over all other values, either individual or collective. Since the latter interpretation has far-reaching significance in his argument, I shall in most cases use the term 'primacy' instead of 'inalienability'. By indivisibility, Markus means that the rich variety of liberties may be deduced from some kind of common ground; that is, every particular liberty represents a certain quantity of the same measure. It seems more appropriate to use the term 'commensurability' here.

To this description a fourth characteristic may be added; as the moderns conceive it, liberty is *neutral* (Markus, 1992, p.275). By neutrality Markus refers to the following: members of a modern society adhere to mutually exclusive sets of values; however, provided that they allow for identical quantities of liberty, the concept of liberty is neutral with respect to these competing values, regardless of the individual variations of goals and ideals.

Upon closer scrutiny one may discover that the features enumerated above are not of the same rank. Universality and primacy of liberty are fundamental properties which express the moral essence of the modern notion of liberty. Neutrality and commensurability are, on the other hand, derivative. Neither of these two properties is valuable in itself; they owe their significance to the fact that without them, the universality and primacy of freedom would not be safe. Let us see why.

If the requirement of neutrality is not met, something that one person does not regard as a restriction of her liberty may very well be considered by someone else as a serious constraint. Likewise, it may happen that what is viewed by one as a minor intervention is seen by someone else as gross unfairness. Hence, in this case whether we consider one's liberty to be a privilege or a universal right depends on the very set of values he or she has chosen. Furthermore, the lack of neutrality poses a risk to the primacy of liberty as well, because if liberty is not a neutral idea, certain citizens may adhere to values that do not attribute primacy to liberty over all other values. Both dangers are avoided, however, if the theory underlying the absolute primacy and universality of liberty is neutral in the dispute between different sets of values (Markus, 1992, p.276).

Like neutrality, commensurability, too, is a necessary prerequisite to defend other theses. First of all, commensurability makes the measure of justification and refutation neutral in conflicts between competing values. For if all forms of liberty may be expressed as multiples of the same common denominator, then any given amount of liberty denotes the same

quantity of opportunities whatever value different people may attach to one or another opportunity. Furthermore, commensurability accounts for the fact that liberty may serve at all as a measure for justifying or criticising the rules of a social order. Different liberties of different people may turn out to be in conflict with one another and in such instances one must choose between them. For the decision to be rational, however, we must be able to rank mutually exclusive liberties. If different cases of freedom are commensurable, we may in principle be able to tell which of two alternative social rules admit more freedom. Thus, we may be able to make the claim of universality (ie., of equality of freedom) meaningful. So much about the first thesis.

Markus' second thesis holds that the idea of liberty described in this way is not coherent; moreover, it cannot even be made coherent. This applies not to one or another particular theory of liberty, but to all its possible modern interpretations. True, some of Markus' arguments are directed against the early liberal conception of freedom, which identified the realm of liberty with maximum freedom from government intervention. Yet he also argues against classical republicanism, the rival of early liberalism. For our purposes republicanism is identified here with the view that liberty is coterminous with the maximum extent of collective decisions made about the conditions of private life. Markus' main arguments are vastly general; if they are tenable they render all possible interpretations of the modern idea of liberty (and not just the two extreme variants) incoherent.

The main line of Markus' argument is clear even though his reasoning is far-reaching. Most decisively, it demonstrates that the conditions of neutrality and commensurability cannot be satisfied. From this Markus infers that liberty cannot be universal and may not have primacy over other values in the strict sense of the term. If he is right, he asserts, liberty is not able to accomplish its vocation. It is incapable of supplying a rational measure for the political battles of modern societies. It is illusory to the core. Yet it is a necessary illusion; Markus' third thesis asserts that modern societies cannot be sustained without the Enlightenment idea of liberty. We need a conception of liberty that claims it as a universal, neutral, and commensurable value which has primacy over all other values. My question, then, is why one should retain this idea even in its illusory character and how it is possible to do so.

I shall proceed as follows. First, I reconstruct the modern notion of liberty as Markus conceives it (Part Two). Then I examine his specific objections against the conceptions of early liberals and their republican rivals (Part Three). I go on to outline Markus' main thesis claiming that the modern notion of liberty is desperately incoherent even if one rejects both

early liberalism and classical republicanism (Part Four). I then examine Markus' reasons for claiming that it is neither desirable nor possible to abandon the modern notion of liberty even in light of its irremediable incoherence (Part Five). I argue that Markus has failed to justify the claim that liberty may serve, despite its illusory character, as a criterion of justification and critique. I therefore propose to reconsider the whole issue, not to argue that although liberty is indefensible it is indispensable, but rather to refute the arguments that claim it to be incoherent. Since the main points of Markus' reasoning closely resemble my own, I first summarise and interpret his major tenets (Part Six). Finally, I try to demonstrate that the view of liberty attributed to Markus may prove defensible in the face of Markus' objections (Part Seven).

Our dispute concerns highly abstract issues. However, the conclusion of my study tries to show that there is more at stake here than mere speculation. The notion of liberty outlined here has direct practical consequences, which may be demonstrated by applying it to contemporary Hungarian politics.

Part Two

The commensurability of liberty does not entail the claim, Markus argues, that modern societies cease to harbour a variety of liberties. All we presume here is that if the condition of commensurability is satisfied, it is possible to express different kinds of liberties with the same measure. However, the vocabulary of freedom abounds in specific compounds. We speak of freedom of religion, freedom of conviction, freedom of speech, freedom of association and assembly, freedom of privacy, and many other freedoms... Thus, the modern world is characterised at the same time by a normative claim to unify freedom and by an irreducible variety of liberties. In Markus' account, this duality underlies the illusory character of our modern notion of liberty (Markus, 1992, pp.285). He demonstrates the way this duality undermines the consistency of freedom through the concepts of negative and positive liberty.

The distinction between negative and positive liberty covers a range of dichotomies. In most cases, however, it is meant to refer to the following. Freedom has two complementary aspects. When we ask whether someone is free or not, we inquire whether or not his or her activities are restricted by external constraints. Moreover, we ask whether he or she is capable of autonomous action at all. The first question asks whether someone is free *from* something or not; this is what we mean by negative liberty. The second inquires whether he or she is free *to* do something; this is called

positive liberty. Liberty in the first sense denotes an immunity, while liberty in the second sense refers to an ability.

The ability to be free depends partly on internal and partly on external conditions. It requires personal attributes like intelligence, grasp, devotion, prudence, strength, determination, etc. However, external resources are also required. We need an appropriate cultural environment which enables us to acquire the necessary abilities for autonomous action. Economic means are also indispensable; they liberate people from the necessity of sustaining themselves and give them a chance to make sovereign decisions about the course of their lives (Markus, 1992, p.284).

Negative and positive liberties thus conceived supplement one another. Both are required for a human being to be free to do or to refrain from doing something. Someone who is not forbidden to perform a certain act but is not able to make an independent decision does not act freely. Someone who is capable of independent decision-making but is restricted in his or her movements by external constraints is not free, either. We may consider a person free only if his or her actions are free in both respects.

However, there are cases when a relation of exchange exists between the two types of liberty, when one may be increased only at the expense of the other. Let us assume that Peter has daily difficulty providing himself with food. Let us further assume that his situation may only be improved by giving him resources that belong to Paul. Finally, let us assume that this is achieved not by Paul's voluntary donation but through government redistribution. Redistribution would increase Peter's positive liberty but it would at the same time diminish Paul's negative liberty, since redistribution consists in an external intervention which restricts Paul from disposing freely of the portion of his goods being redistributed.

Before going on to examine another and, for Markus, more important dichotomy between positive and negative liberty, one that distinguishes between two aspects of freedom from government intervention, it is worthwhile pointing out an important sub-case within the concept of positive liberty outlined above. Even though Markus does not treat it separately, it constitutes an essential link between the above definition and the ones that follow. Assume that Peter is an alcoholic. Yet he not only desires alcohol desperately but also wishes not to desire it. He wants to control his desire for alcohol, and so he avoids possible drinking company, never carries too much money on him so as not to be able to buy himself a drink, and so on. He restricts his desire for satisfaction from alcohol. Does Peter's self-restraint constitute a free act? According to the negative concept of liberty, self-restraint restricts freedom because it excludes certain alternatives from our range of choices. However, in this case it is Peter who imposes restrictions upon himself; he follows his own will when

he is faced with external constraints. A lack of constraints would deprive him of his liberty to accomplish his goal in a positive sense. He acquires freedom by observing self-imposed restrictions. Even though he restricts the *range of his choices* he does not restrict his *freedom* to accomplish his goal; to the contrary, he liberates himself through self-restraint.[2] This is the narrower meaning of positive liberty, on which I shall rely when I try to elucidate Markus' thoughts about the various aspects of freedom from government intervention.[3]

Let us first take a step further. Imagine that Peter lacks the will-power necessary for self-restraint and therefore is unable to accomplish his goal by himself. His lack of will-power may be remedied if Paul prevents him from drinking. Now, let us imagine that somebody says, Paul does not restrict Peter's freedom: How should one interpret this proposition? We may conceive it as a redefinition of restricting freedom: since Paul's intervention serves Peter's well-being, it does not constitute a restriction of liberty. This would amount to a rejection of the modern notion of liberty because one of the latter's fundamental underlying hypotheses is that someone who is forced by others for his own well-being is not free. If we reject this understanding, we must assume that the statement hints at certain hidden information. It either implies that Paul ceased to act as a caretaker of Peter (negative liberty) or it means that, even though Paul prevents Peter from drinking, he does so at Peter's explicit request (positive liberty). The constraints are imposed by another person and thus Peter's range of choices is restricted by external constraints. Yet the other person executes Peter's own request; thus Peter follows his own will when he is constrained. This concept of positive liberty will be necessary for our understanding of freedom from government intervention.

Government is an institution which relies on the use of force. It restricts interactions among individuals by way of law and threatens lawbreakers with violence. Everyone, save anarchists, accepts to some extent that large and complex societies need governments. Official co-ordination and a variety of authoritative rules enable individuals to form a well-ordered society. This implies that the ability to live in a society presupposes an element of constraint. Thus a government restricts the negative liberty of its citizens, but this restriction is a prerequisite of their positive liberties. The question therefore inevitably arises: in what sense may one assert an individual's freedom from government intervention?

Let us suppose that the law-making process that enables social co-ordination is indifferent. In this case the bare fact that laws enhance co-operation among individuals makes legal restriction a case of promoting positive liberty.[4] But let us now assume that the question of the political mechanism of law-making is not indifferent and that the democratic order

of collective decision-making is in itself (and not only because of its consequences) better than any kind of authoritarian or totalitarian order. Then the above question leads us to another understanding of positive liberty, which extends the approach inherent in the Peter-Paul situation to the relation between a state and its citizens. In this sense positive liberty from government intervention means that individuals are limited by such official constraints as may be considered to have been created with their own participation (Markus, 1992, p.281).[5]

In which cases, however, may we declare that an individual participates in the introduction of public constraints? Political decision-making is a multilateral operation. Even in an ideal case it cannot be asserted that citizen Peter has individually authorised civil servant Paul to intervene in case Peter breaks a law. As for positive liberty from government intervention, we need further criteria that can determine when individuals may be regarded as makers of a law that applies to their own actions even though they do not personally make laws nor even participate directly in the law-making process. Markus states the above conditions are met when an individual has 'the real, concrete capacity to influence effectively the activity of the state' (Markus, 1992, p.281). It indeed seems to be an all too narrow definition if 'effectively influencing' is supposed to mean that collective decisions are significantly altered whenever Peter changes his mind. The vote (and, in most cases, even the word) of a single citizen has but a marginal impact on collective decisions in communities of hundreds of thousands or millions of people. Furthermore, voters do not usually vote on laws but elect representatives and authorise them to make laws. Therefore, either the political concept of positive liberty denotes a marginal, infinitely remote situation, which we cannot even aspire to, or we must reconsider the meaning of Markus' statement.

In my view the latter strategy better suits the spirit of his essay. I propose the following understanding. One may declare that laws restricting the activities of citizens constitute a condition of their positive liberty when two criteria are satisfied. First, these rules should be necessary in order that members of society be able to co-operate with each another; it should enable them to perform activities which otherwise would fall beyond their capacities. Second, every citizen should have equal (or at least not disproportionately unequal) opportunity to take part in the decision-making process).

The latter requirement entails the equality of political rights - and something else as well. Equality of rights does not necessarily entail equality of abilities necessary for actual participation. Those who strive day after day for self-preservation and therefore lack the cultural background necessary for political orientation cannot participate in public affairs even if

they are granted the right to do so. Thus, positive liberty from government intervention depends on a distributional condition, namely on the fair distribution of political resources; Markus seems to share this understanding. But how are we to understand fair distribution? One may discover the following criterion in his text: the distribution of political resources may be regarded fair if the system 'safeguards for all mature individuals those external and internal resources which are necessary and sufficient for the fulfillment of the function of the politically active citizen of a democratic state' (Markus, 1992, p.283).

If the order of distribution enables all citizens to participate in voting and in public debates about laws, then every citizen has the opportunity *to* participate in the legislative process. Positive liberty from government intervention consists precisely in this. In this special sense the realm of negative liberty coincides with the private sphere and the domain of positive liberty with the public sphere. We are free in our private lives if we have immunity *from* government intervention. In the public realm we are free if we have a fair opportunity to take part in collective decisions and if we, as equal members of the political community, possess, together with others, the power *to* influence the government.[6]

Markus states that negative and positive liberties as defined above are complementary. Without a sufficiently large private sphere one cannot live one's own life; without collective self-governance and the possibility to participate in it, one cannot take part in forming the social environment. A relation of exchange holds for these specifically political aspects of negative and positive liberty. An action cannot possibly be the object of an individual's exclusive decision and at the same time the object of collective decision. It is either the individual or the public authority that decides. The more severe the restrictions are on privacy in order to secure everyone's opportunity to participate in public affairs, the narrower the realm of negative liberty becomes, and vice versa. It was Benjamin Constant who first demonstrated this correlation by pointing out that one cannot at the same time enjoy the liberty of the 'ancients' (the liberty to participate in public affairs) and that of the 'moderns' (the liberty of being independent from public authority).[7]

Part Three

How should one, then, distribute individual freedom between positive and negative liberties? In the present contradistinction the question concerns the location of the dividing line between the private and public spheres. In principle, there are three possible solutions. One strategy maximises

negative liberty (that is, the private sphere exempted from government intervention). It limits government intervention to the smallest possible range necessary in order to ensure every citizen's largest possible (negative) liberty within the limits of everyone else's equal liberty. Another strategy maximises positive liberty by extending the range of collective decisions to all possible cases. At the same time it grants fair opportunity to every citizen to participate in the process of decision-making and limits the sphere of privacy to the rest. A third alternative draws the line somewhere in between.

The first solution is identical with the 'minimal state' heralded by early liberalism. The solution would be tenable, Markus argues, only if it could answer a serious objection. Left to itself, a market economy provides no guarantees against inequalities of unacceptable proportions. The life of the most wretched may be degraded to a hopeless struggle for mere self-preservation, which deprives them of the conditions of positive liberty in the first sense, that is, of personal autonomy (Markus, 1992, p.279-80). Therefore, if members of society are entitled to at least a minimum of positive liberty as defined here, the strategy to maximise negative liberty cannot be justified.

Proponents of 'minimal state' have two ways to meet this objection. One of their arguments is based on the view that the order of liberty corresponds to a theory of just distribution, in which justice is not a statistical characteristic of the present distribution of goods but a feature of the way in which distribution is achieved. Distribution is not just or unjust depending on its being more equal or less equal. Distribution is just if it was achieved under procedural conditions that satisfy the requirements of freedom and if it has its origins in a just initial situation. On the other hand, distribution is unjust, regardless of its statistical characteristics, if the procedure that brought it about does not satisfy the requirements of freedom. To put it differently, distribution may not be considered unjust solely by referring to the *consequences* of free market operations if the *rules* of operation are just and if these rules were not broken in *practice*.[8]

The other argument is based on a moral distinction made between action and non-action. Exponents of this thesis assert that the case of someone unable to perform an action (even though they have all necessary abilities) because they are restricted by external constraints is vastly different from that in which they are not restricted by others, but lack the necessary abilities to perform the action. True, such an individual might be enabled to perform the act in question with the help of other people, eg., if they provide him or her with the necessary resources. However, actively preventing one from doing something is not of the same rank as failing to give somebody the help necessary to do something. Individuals have a

supreme moral claim against intruders; one can expect others not to restrict them from enjoying their liberty. But one cannot raise such claims against those who failed to be helpful, except by referring to an earlier intervention by which the latter caused the former's present inability. Avoidance of intervention is a universal duty while giving help is usually not a duty but a praiseworthy act. Thus, a claim for negative liberty is binding both on other individuals and on the government. By contrast, a claim for positive liberty cannot serve as a basis for obligation but may at best appeal to sympathy and generosity.[9]

Markus' answer to the first argument is as follows. Negative liberty is valuable only for those who can live with it. Those who are unable to perform an action cannot appreciate that if they had been able to do something they would not be prevented from doing so. That is why there is an inherent contradiction in saying that the order of distribution is just when it is based on respect for freedom, regardless of the distribution of abilities necessary for free action (Markus, 1992, p.277).

I summarise Markus' answer to the second argument as follows. Let us assume that there is indeed such an indisputable moral distinction between performing an action and refraining from it as proponents of early liberalism believed. The distinction dissolves the moment the focus of our attention shifts from an individual to the whole of society. From our individual point of view, constraints on another person's ability to act may usually be regarded as external conditions; in most cases, we did not impose them. From society's viewpoint, however, constraints upon the opportunities of any of its members are not merely given but, at least in part, are the results of innumerable interactions between people. If the rules were different or people confined themselves to the rules more strictly, the situation of the underprivileged would be different. Consequently, one cannot declare that society as a whole has no responsibility whatsoever for the distribution of resources necessary for free action.

This is a sweeping argument that can be further strengthened. The thesis stating that the protection of negative liberty has primacy over claims for positive help assumes that we can tell beforehand what to regard as an intervention restricting negative liberty and what to take as help extending positive liberty, regardless of the social distribution of rights and duties. But this is incorrect. Let us recall our earlier example: the government imposes a tax on Paul to ease Peter's needs. We assumed that this restricted Paul's negative liberty (since it deprives him of goods which he could otherwise dispose of) and extended Peter's positive liberty (for it supplies him with resources and thus increases his ability to act). But why did we say this? Because we assumed that Paul has an exclusive right to dispose of redistributed goods; we accepted the existing system of proprietary rights

as self-evident. Let us now suppose that society defines proprietary rights in the following way: the owner has an exclusive right to dispose of his capital and its profits, except for the portion of his income which is needed to help the poor. In this case we might say that the government protects Peter's negative liberty when it supplies him with goods pertaining to him. Furthermore, it does not violate Paul's negative liberty inasmuch as the government does not take from him more than is needed to help Peter. By way of analogy, let us imagine that Peter himself takes some of Paul's goods but the government obliges him to give them back. If proprietary rights are so defined that a portion of Paul's goods pertains to Peter and Peter has a right to take that portion but the government forces him to give it back, it (unlawfully) restricts Peter's negative liberty and extends Paul's positive liberty. By contrast, if Paul has an exclusive right to his property then, in our case, Peter infringed on Paul's negative liberty while the state protected it and also prevented Peter from (unlawfully) extending his own positive liberty. Only if one already knows what kind of primary distribution of rights may be justified can one declare what sort of action constitutes refraining from restricting negative liberty and what constitutes assistance that extends positive liberty.

Thus, the idea of 'minimal state' cannot be justified. On the other hand, the idea of 'maximal state' is not defensible either. The maximal state consists, as we have seen, in extending the range of collective decisions to all possible cases. In addition, it grants every individual the right to participate, to an appropriate degree, in decision-making.[10] What may one expect from such a situation? Where negative liberty is maximised, the range of social effects that emerge unintentionally and unpredictably from innumerable individual decisions are maximised, too. Individuals decide for themselves about the use of their resources, but the conditions of their decisions are determined by an interplay of impersonal forces which they cannot control. By contrast, if they do not strive to dispose of their resources individually, under conditions determined by impersonal forces, they may acquire the capacity to determine all fundamental conditions of their actions collectively. Though not individually but collectively, they can nevertheless themselves determine antecedently all important details of production and consumption, say the proponents of maximising positive liberty. An individual may acquire, as a member of the community, control over the social conditions of his or her existence. Together with others, he or she may accomplish a just distribution of scarce resources among members of society.

We shall disregard the question whether a system, in which so many collective decisions are made day after day, could survive at all. Let us assume that it could. We still have to face the following difficulty: when

such a bulk of decisions are made collectively, individuals cannot acquire the independence necessary to contribute to collective decisions as independent and freely deliberating persons. But if participants of collective decisions are not autonomous persons, their common decisions do not embody positive liberty but express impersonal processes, in which individuals are mere means to certain ends. Thus, positive liberty in the political sense is not meaningful without a reasonable amount of negative liberty. There must be a certain realm exempt from collective decisions.

This realm is protected by the *rights* of individuals. When we assert that someone has a right to speak or freedom of religion we claim that everybody else *must* refrain from restricting any activities considered to belong to the practice of these liberties. Rights lend special normative force to the liberties they protect. Let us suppose that one of our liberties (say, our liberty to listen to the radio wherever and whenever we want at whatever volume) is not protected by our rights. Let us further imagine that this liberty is in conflict with the interests of other people (say, to have peaceful rest). In this case it is a matter of consideration whether our liberty or their interests should be given priority. But if we have a right to one or another form of liberty (for example to express our views to anyone who is willing to pay attention) there is normally no place for consideration.

Now, Markus regards it as acceptable to restrict individual rights in order to assure a fair distribution of political participation but immediately adds that such restrictions 'cannot affect the substantive kernel of these rights' (Markus, 1992, p.283). In other words, 'there is a normative substance of individual rights expressed in their general concepts which these acts in principle cannot override and which is not at the disposal of the democratically formed will of the community' (Markus, 1992, p.283). Thus, the maximisation of positive liberty cannot be justified.

We are left with but one alternative, namely, to draw a dividing line between private and public spheres somewhere between the two extremes. Markus, however, holds this to be an unattainable goal, since the boundary must be specified by the theoretical devices of liberty, which are not suitable for the job.

Part Four

This statement may imply two distinct contentions. It may either mean that the claim for negative liberty unequivocally determines the minimum extension of private sphere while the claim for positive liberty determines the minimum extension of public affairs and the two realms overlap, so that there is an identifiable region claimed by both public and private spheres.

Or it may mean that neither claim implies unequivocal boundaries and both are underdetermined. In the first case, the theoretical apparatus of liberty would be of no help in finding a justifiable social order. It would lead to a fundamental normative conflict. (True, first it must be demonstrated that the conflict is irresolvable.) In the second case, liberty is no help because it does not establish any firm normative claim. Markus holds the latter view.

First, he points out the indeterminacy of claims based on negative liberty. He argues that the various branches of negative liberty are not commensurable. For them to be commensurable, one would have to find a common measure in which all of them may be expressed, and there is no such measure. What are the conditions for finding such a measure? We must first identify what may be called an elementary action and then we must define the restriction of freedom. The measure we are looking for must be identical with an elementary act the execution of which is not restricted.

Markus does not straightforwardly raise the problem of defining elementary actions.[11] However, we shall soon discover that he need not raise this question. Even if we assumed that it is possible to describe every particular action as a sequence of repetition of the same unit, it would not make the problem any easier. The worth we attribute to any given act does not depend on the length or complexity of the sequence of its hypothetical units. As Markus observes, we ascribe value to actions and this value differs from action to action. Reasonable traffic regulations are not regarded as restrictions of liberty even though they do constrain our movements. On the other hand, the smallest infringement of our liberty to practice our religion constitutes a serious restriction. This may be explained by the fact that the details of traffic regulations have no intrinsic worth for us while religion is of the utmost significance for believers.[12]

Markus calls our attention to three important consequences. First, if we rank different liberties according to their worth, our criterion is not liberty but some external good. If freedom is a neutral and commensurable quantity, its worth must be the same in all its manifestations. Its various instances may acquire different worth only if we disregard the value of liberty (of unrestricted freedom of action) itself and consider some further value which is somehow connected to the practice of freedom (eg., the worth of the freely exercised *activity* itself or the worth of the *result* of that activity). Thus, even if our values could be ordered into a unified hierarchy, to rank actions according to their worth amounts to abandoning our original claim that liberty must provide normative criteria for justifying the rules of social coexistence.

Second, our values cannot be ordered into a unified hierarchy. Modern society is characterised by a plurality of values. On the one hand, one

cannot realise all values simultaneously; on the other hand, one's values cannot always be unambiguously ranked into a hierarchy. Values, therefore, do not always provide a unified measure to guide our decisions.

Markus' most important objection is this: values that guide members of modern society are not simply incommensurable but often controversial as well. Something held by one worldview to be valuable is viewed by another as contrary to its values. Furthermore, our arguments are often not decisive and so we cannot settle our controversies. The Enlightenment promised a political order in which all individuals could live in accordance with values chosen by them even if their ways of life were rejected or condemned by others. Philosophers thought such an order to be possible because freedom offers neutral spaces for human actions. Thus, where human coexistence is regulated by equal liberty, everyone may pursue their own demon as far as they do not constrain others from doing likewise. However, if the hierarchy of liberties depends on the worth one ascribes to each of them, the neutrality of freedom is lost. One person's minor restriction may be someone else's fundamental moral injury, and there is no impersonal, external viewpoint from which to deliver an incontestable verdict (Markus, 1992, p.278).

In other words, the ranges of possibilities pertaining to different liberties are incommensurable. Moreover, in Markus' view even if they were commensurable, this would not make the idea of negative liberty any more useful. To make the conception meaningful it is necessary to define *restriction* of spaces of action unambiguously. However, the concept of restriction of freedom is ambiguous.

The concept of constraints on freedom, Markus argues, makes us face the following dilemma: we may either confine the concept of restricting freedom to cases where physical obstacles to performing an activity make its execution impossible. Or we may consider freedom to be restricted when an activity is prohibited and thus the estimated costs of performing the act are higher. In the first case the definition is unambiguous but too narrow. It does not include cases of the utmost significance for relations between governments and citizens, eg., when the government prohibits certain activities and penalises the breaking of these prohibitions.[13] In such cases, prohibition does not by itself make the execution of a given act impossible but it simply increases its costs. Therefore, it is impossible to restrict freedom by law if only physical hindrances (which prevent certain activities) are regarded as restrictions of individual liberty. By contrast, if our definition of restricting freedom includes penalised prohibitions, it is too inclusive. In fact, it does not exclude anything. For, Markus argues, one cannot draw a clear-cut distinction between penalised prohibitions and promises.

Let us assume that the government declares, 'Taxes must be paid!' The claim might be given emphasis in two distinct ways. The government may either threaten to put citizens in prison if they do not pay or it may promise to give them benefits as compensation for their losses. In the first case, the government makes tax evasion too risky. In the second, it increases the advantages of taxpaying to an extent that it becomes attractive. In both cases, the government tries to influence individual decisions by modifying cost-benefit proportions. 'What is the difference?', Markus asks; if we regard one case as a restriction of our liberty, why not regard the other as such, too? Once we consider threats as restrictions of our liberty, we must hold the same for promises as well. One cannot, however, stop at this point. For if promises may be regarded as restricting liberty, it is not clear why any kind of deliberate influence should be exempted. And what remains then? To put it another way, the concept of restricting liberty is either too narrow or too broad; it cannot be defined in a way so as to be meaningfully applicable.

The concept, Markus argues, is incoherent in yet another way. The concept of restriction entails our ability to distinguish between a case in which one is able to perform a given action but is prevented from doing so, and a case in which one cannot perform an action even though there are no physical hindrances. We have seen, however, that this distinction cannot be maintained, at least not with regard to the relation between the whole of society and its members. Both cases may serve as the basis of moral claims and both may be considered as restricting our freedom. The conceptual framework of negative liberty, therefore, is not capable of distinguishing between justified and unjustified moral claims of freedom against the government or other citizens.

If we accept this argument, the right to freedom from government intervention cannot determine the limits of government authority over citizens: 'the concept of negative liberty is unable to ground precisely what constitutes the radical novelty of the modern idea of freedom: its independence from power over others' (Markus, 1992, p.24). This insight would not in itself raise serious difficulties. Lacking the theoretical basis of demarcation, any solution may prove right if it was selected by a fair procedure. The procedure of selection may be regarded as fair if all members of the community have an equal or at least not disproportionately unequal chance to participate in it. Under such conditions no one could claim that the boundaries established through collective decisions are unjust.

Nevertheless, we have seen in part two that the commensurability of opportunities is not granted by the fact that each citizen has one and only one vote and that everyone shares the freedom of speech, the right of

assembly and of association. It also requires that everyone have the necessary resources for independent public action. Difficulties begin here, Markus asserts. Necessary resources must not be defined in terms of biological needs. The content and extent of a 'social minimum' depends on the actual historical situation as well as on the cultural traditions of a given society. But then the 'social minimum' necessary for political participation is not only a variable quantity, but its content and extent are open to dispute. Well-structured societies do not usually hold a single, unified view as to which of its citizens are unable to participate equally in public affairs and what the luckier members of society owe them. In this case, Markus holds, the fact that a decision was made in a democratic manner by a given community cannot entirely legitimate its result. We are not able to specify in general terms the redistributional conditions of political participation or of positive liberty.

To sum up Markus' thesis, the line of demarcation between private and public spheres is underdetermined from both sides. The modern concept of liberty cannot provide us with rational principles of justification for social organisations. It cannot satisfy the requirement of commensurability; thus, its neutrality and universality also become questionable. It does not give us universally valid measures by which we could accept as just or reject as unjust the rules and redistributional relations which were shaped by the power and influence of competing pressure groups, as well as by their relations with government agencies.

Part Five

Yet Markus argues that even after discovering the illusory character of the modern idea of liberty we must not abandon it. It is deeply embedded in our fundamental modern institutions and is necessary for maintaining them. It has a dual function. On the one hand, it has a stabilising role inasmuch as the modern world order would collapse if struggles between interests were not regulated by the universal idea of liberty. On the other hand, it has a vitalising effect insofar as it does not permit the crystallisation of social structures that are alien to the ideas of the Enlightenment. Even though its final aspirations cannot be fulfilled because its inner inconsistencies lead to ever recurring conflicts with itself, the apprehension of failure itself urges people to search for new norms, The conflict itself, the struggle between rigid viewpoints, helps us reach ever more universal solutions, which will themselves subsequently be transcended.

What makes the modern universal notion of liberty stabilising? Markus says that modern society must face two constant threats. One is that the

struggle of interests results in fluctuating and unstable coalitions, which make politics unpredictable and the state ungovernable. The other is that ever more areas of life become political battlegrounds; larger and larger realms become susceptible to government intervention and bureaucratic regulation while the government itself becomes more and more uncontrollable. Both phenomena cause harms and provoke the resistance of those concerned. When resistance is expressed in sheer policies of venting grievances it merely exacerbates the crisis. Social cohesion can be maintained only if individual injuries can be transformed into claims based on the universal idea of freedom. If this transformation takes place, the unstable alliances of pressure groups may be replaced by solid, predictable, and controllable processes. Furthermore, the extension of government regulation can be contained through the extension of individual rights (Markus, 1992, p.286).

As to why the modern notion of liberty has a vitalising effect, Markus answers that even though the ideal of equal freedom cannot be attained (moreover, attempts to realise it wholly and immediately usually have fatal consequences), its prevalence has a beneficial impact. Underprivileged groups gradually come to realise the injustice of their situation and make the rest of society recognise it as well. Each injustice that is overcome makes yet another injustice manifest. This is the very reason why motion can never stop. The ideal of equal liberty constantly recedes, yet this urges us to realise it more and more. In Markus' view, this never-ending movement is what remains of the programme of the Enlightenment, which can and must be retained.

The conclusion is moderately pessimistic or optimistic depending on one's point of view. In my opinion it offers the best paraphrase of the programme of the Enlightenment. In the next section, I argue that this programme is the best available. However, I am not quite certain whether Markus' attempt to defend this more realistic Enlightenment program is successful. His defence allows two distinct readings, both of which are problematic.

On the first reading, the alleged function of the modern notion of liberty does not coincide with its actual function. Its alleged function is to unmask arbitrary restrictions of liberty and to promote the progress toward larger and more justly distributed freedom. In Markus' view this function is illusory. Yet the illusion is effectual. The myth of liberty corresponds to real needs, though not exactly to the ones people have in mind when they claim universal freedom for themselves. It helps to prevent the disintegration of modern institutions. Its real significance is revealed not in the quantity of liberty it achieves, but in survival of the modern world.

After the emergence of free market, bureaucracy, the territorial state, and the theoretical-experimental sciences, no acceptable social coexistence is possible without these achievements. This is so primarily because ours is the only social order able to secure the self-preservation of the world's population, which has increased exponentially over the last two centuries.[14] Like it or not, conditions of modern life have become mankind's destiny. The only alternatives are the most inferior forms of struggle for survival, which would destroy even the most elementary framework of moral norms. Thus, the modern notion of liberty is one of the guarantees of the stability of our modern institutions; we must not abandon it even though we know it to be illusory.

This argument is cogent but is susceptible to two major objections. First of all, like all very abstract sociological explanations, it merely makes plausible a positive correlation between our modern idea of liberty and the stability of modern institutions. It does not, however, prove the existence of such a correlation. Predicted consequences depend on the contingent facts that are present in the scheme. Under certain circumstances the fluctuating alliances of pressure groups may prove to be destabilising and the transformation of political conflicts into matters of principle might, indeed, promote stabilisation. The contrary case, though, is equally conceivable. Political conflicts consisting purely of interest struggles may be open to compromises. Furthermore, the constant flux of coalitions may prevent any of the parties from gaining disproportionate predominance; thus, under certain conditions the struggle of pure interests may be stabilising. On the other hand, battles between principles may prevent bargaining and result in excessively watertight frontiers. The politics of principle may thereby undermine institutional stability.

Therefore, the functional correlation of our modern notion of liberty with the stability of modern institutions is not free from contradictions. If we try to justify our defence of liberty on these grounds, our devotion to it will be weak and unstable. It will be sufficient if the correlation is positive, but we may abandon it where there is no or a negative correlation. It seems that to defend the ideal of freedom as *a means* to further certain other values is not as convincing as to demonstrate that freedom must be considered as something valuable *in itself.*

Furthermore, even if we are able to demonstrate a functional correlation between the modern idea of liberty and the stability of modern institutions, it is not entirely clear what can be inferred from this correlation. If we glance backward to the past we may conclude that our ancestors fortunately fought their political battles in the name of modern liberty, and thus preserved the stability of society. But to persuade our contemporaries to paraphrase their conflicts of interests in terms of equal and universal liberty

it is not sufficient to say that this is an appropriate way of preserving the stability of our fundamental institutions. Why not? Because the moment philosophers address the disputing parties, they no more simply describe disputes but participate in them. Suppose that a philosopher proposes that the parties choose liberty as the criterion of their collective decisions. This would be possible, however, only after they have reached an agreement as to what the principle which they are to adopt actually means. One who proposes freedom as a normative criterion must first show how freedom settles disputes and why it is appropriate to settle disputes in this way. According to Markus, there is no rational answer to this. There is no notion of liberty that could successfully distinguish between justifiable and arbitrary solutions. But in this case participants in the debate cannot but go on struggling however best suits them. Either there is a defensible theory of equal liberty or we must abandon the tradition of the Enlightenment. There is no third alternative.

The latter objection leads to the second reading of Markus' thesis. For what Markus asserts is not simply that the modern notion of liberty is stabilising; he contends that our society owes its vitality to it, too. He claims that the constantly receding limiting value of equal liberty makes us continuously criticise and correct the most flagrant inequalities. It keeps the forces of ever more complete justice in motion. But this assertion can be maintained only by someone who is able to distinguish between larger and smaller degrees of freedom and larger and smaller degrees of justice in the distribution of freedom. Without such distinctions we cannot meaningfully speak of progress toward greater and more equal freedom. We cannot, without contradicting ourselves, maintain at the same time that the programme of Enlightenment 'is not only practically unattainable but is theoretically incoherent as well' (Markus, 1992, p.27) and that 'the whole history of the modern world is nothing but a recurrent attempt gradually to eliminate various particular limitations, injustices, and injuries and to realise the ideal of freedom' (Markus, 1992, p.28). There may either be no definite and defensible content of the ideal of liberty, in which case no one can speak of realising it to an ever larger degree, or there may indeed be a motion related to an (ever receding) ideal, but then there must be a definite measure on the grounds of which it is meaningful to speak in terms of progress or regress.

Part Six

I propose to rethink the whole issue. Markus' argumentation consists of two decisive steps. In the first phase he makes substantial objections to the

two extreme theories of freedom (which I have called the theories of 'minimal state' and 'maximal state'). Then he proceeds to demonstrate that the concept of liberty cannot be coherently applied to the area between these extremes. I shall follow his first step, but choose another strategy in the second phase. I will try to highlight the hypotheses underlying the critique of the 'minimal state' and the 'maximal state' and to demonstrate that the case thus made might be defended in the face of Markus' doubts.

The political theory I wish to outline holds that the legitimacy of a government depends on how it treats its own citizens. First of all, it must treat them as *autonomous* individuals; it must allow them to define themselves, to choose what kind of people they wish to become and what form of life they want to adopt out of those available. Second, it must secure their *independence* from public authority so that they are able to take part in collective decisions through independent consideration and argument. Third, it must respect their human *dignity*. It must treat them in a way that does not diminish their self esteem. Finally, it must treat them as *equals*. Particular differences between citizens do not justify paying more attention to some than others in respect of their autonomy, independence, dignity, or any other dimension of their well-being.

These criteria may be met by a government when it grants liberty to its citizens. On the one hand, it must prohibit citizens from interfering with one another's activities or interfering with protected activities. Similarly, the government itself must refrain from interfering with protected activities or from unjustifiable interventions (negative liberty). On the other hand, it must provide citizens with the conditions that enable them to enjoy the liberties thus established (positive liberty).

When I assert that freedom is a necessary condition of autonomy, independence, dignity, and equality, I do not mean that the latter are independent values while freedom is merely a means to accomplish them. I speak of a constitutive and not of an instrumental correlation; I argue that neither autonomy, independence, nor dignity and equality make sense without liberty. Our question then is how to demarcate the amount of liberty a government *must* protect. At this point the critique of the 'minimal' and 'maximal' state is of some use.

Markus' objection to the programme of 'maximal state' is this: not everything may become an object of collective decision. There are certain things individuals must decide for themselves; otherwise collective decisions cannot be the aggregates of the members' decisions. The usual procedures of collective decisions, however, cannot even specify what these things are. The domain of individual decisions is defined by the fundamental rights of individuals and not even the most democratic

governments may restrict the essential content of these rights. Let us call this the thesis of *fundamental rights.*

Markus' considerations against the 'minimal state' are as follows: early liberals held that any distribution of resources is fair insofar as it derives from a just initial situation and results from actions which do not hurt anyone's rights. However, to hold negative liberty valuable, one must assume that we are also able to enjoy our unrestricted opportunities. Therefore, if the programme of 'minimal state' is justified by the fact that it realises the maximum amount of negative liberty, it is justifiable only insofar as negative liberty is distributed in such a way that it is valuable to everyone. If a series of actions that in themselves respect our fundamental rights results in a situation where some of these rights are of no value to certain individuals, the protection of fundamental rights is not a sufficient condition of justice. Let us call this the *distributional thesis.*

The thesis of fundamental rights relies on the insight that the 'maximal state' (defined as the programme of positive liberty over the state) is immanently indefensible. If people do not bear moral rights in their relations with the government, they do not possess the independence necessary for collective decisions to be regarded as the result of their competent and independent decisions.

The distributional thesis is derived from the proposition that the programme of 'minimal state' is also immanently incoherent. Proponents of 'minimal state' argue that if all individuals have the same rights and individual decisions are constrained only by other individuals' decisions and rights, then social processes consist entirely of voluntary actions. Thus, every individual acts freely within the conditions of a free market. However, the normative conditions of the free market entail more than the protection of fundamental rights. They also entail the requirement that participants of business transactions have commensurable bargaining positions, that no one is deprived of information that is vital with respect to the transactions concerned, and that no one is in a psychologically or materially defenceless position. A transaction in which one of the parties makes use of the other's defencelessness is not the result of their voluntary agreement. Voluntary transactions require the fulfilment of both the thesis of fundamental rights and distributional thesis. However, the protection of fundamental rights does not necessarily entail just distribution. Even if the original situation fulfils both conditions, it is conceivable that a series of transactions respecting our fundamental rights could result in a situation which does not meet the distributional criterion. Some of the market agents might be at the mercy of others.

In other words, the theory of expectable liberty relies on two independent prerequisites. One is that no social interaction should interfere

with our basic liberties. The other is that the system of interactions should not result in situations that are unbearable for anyone. When both requirements are fulfilled, the distribution of freedom is just and no one should have claims against other individuals or against the whole of society on the grounds that he or she is not sufficiently free. If someone is able to demonstrate that one of the requirements is not fulfilled in their case, they may justifiably object to their situation. If the first condition is not met, the injustice lies in an unlawful restriction of their liberty. If the second condition is not met, the injustice lies in not having a fair amount of resources necessary to take part in social processes.

Our reasoning so far has led us to the conclusion that the distributional requirement and the requirement of fundamental rights are of the same rank as criteria of evaluation. The ideal state of affairs requires that both conditions be fulfilled. Our conclusion would make us assume that the two requirements also have the same status as *regulative principles of action.* This, however, is not the case. Let us assume that the actual state of affairs does not coincide with the ideal one. The government's duties and possibilities in its attempt to realise the ideal state are not the same when the deficiency consists in infringements of rights as when it consists in a distortion of the order of distribution.

This argument is not self-evident and requires detailed analysis. A claim for fundamental rights evolves from the fact that identifiable persons have performed actions which they should not have performed and for which they are responsible. They may be private persons or the representatives of public authority; in both cases, the claim is that they must refrain from unlawful conduct. Nevertheless, the person whose rights were violated raises claims against the whole of society (or against the state as the representative of society). He or she expects the government to force those who break the law to abandon their unlawful conduct. However, the latter claim is based on the former, and thus lacks any meaningful content without it.

Distributional claims are of an altogether different nature. The objectionable situation here is the result of an impersonal aggregation of actions which in themselves are not necessarily unlawful. A person in such a situation makes claims directly against the whole of society and not against certain individuals, groups, organisations, or institutions. The rest of the people are responsible for his or her situation collectively, by way of the government. Here the government's responsibility is not based on the responsibility of identifiable (natural or legal) persons and it does not involve forcing identifiable persons to abandon their unlawful activities.

The difference outlined here would not raise difficulties if society as a whole directly possessed the resources which are at its disposal. However,

resources are owned by individuals, groups, organisations, and institutions. Therefore, the whole of society cannot be made to bear directly the burden of correcting unfair distribution. The burden must be distributed among its members. Hence come the difficulties - but what are they precisely?

On the early liberals' account, the difficulty is that none of the primary owners are responsible individually for the morally objectionable order of distribution. It cannot be demonstrated that they themselves, either voluntarily or involuntarily, performed acts that contributed substantially to the relations of distribution. Therefore, claims based on disadvantages inflicted by impersonal mechanisms are void because they have no identifiable object.

This reasoning relies on the implicit hypothesis that one person has special obligations to another only when he or she made a voluntary commitment (made promises, received services, etc.). But this hypothesis is wrong. There are obligations which have their grounds not in our actions but in the fact that we are in certain relations with others. It is not necessary that the relation be the result of our own decisions. We cannot choose our parents and we cannot choose to have parents at all, yet we have obligations towards our parents. Similar moral obligations exist between citizens. Most people do not choose their own nation and nobody is ever able to choose all their fellow citizens. Nevertheless, we have special obligations to one another due to the fact that we are citizens of the same nation and belong to the same political community. As members of a community we share the responsibility of the whole towards each of its members. If the government is responsible for regulating economic processes so that none of its citizens is in an unacceptable situation, the luckier citizens must share this common responsibility. Therefore, the mere fact that in the course of accumulating one's wealth one has not violated the rights of others does not by itself justify the amount of one's share. For one's share to be regarded as just, it is necessary that the system of social interactions, by which he or she acquired it and which is regulated by the government, does not force anyone into unacceptable situations.

Hence, if the government redistributes part of our income to provide others with the opportunity to take part in social interaction, it is not a valid objection that we individually did not violate anyone's rights. We cannot claim that the government violates our rights if it obliges us to bear part of the burden of other people's self-preservation. We must pay our taxes just as we must observe the law prohibiting the violation of other people's rights. Yet there are differences between our positive and negative claims. The contention that our positive claims are protected by rights as well as the negative ones may initially sound plausible, but it too is wrong. On closer scrutiny it will turn out not to be particularly attractive, either.

Fundamental rights distribute advantages and disadvantages among members of society. They grant their bearers equal status with all individuals in the political community. Fundamental rights, at the same time, oblige others (who have the same rights) to bear the subsequent costs. One who respects other people's rights must abandon some of his or her own goals and must find indirect fulfilment for some others. Put this way, the recognition of rights has a price that coincides with the obligations of others towards the bearer of rights. Violating one's rights is forbidden; we are morally obliged not to do so. If those subject to this responsibility break this rule, the government must intervene with its coercive apparatus.

Advantages and disadvantages are distributed, too, in the course of realising the just order of distribution. However, here the costs do not necessarily coincide with the burdens the luckier citizens must undertake to help their poorer fellow citizens. Let us assume that the government imposes taxes on the income of its more successful citizens to remedy unfair inequalities. In this case citizens have more alternatives than simply paying or not paying their income taxes. They may decide to reduce their economic activity if they find that their net income after taxation is not worth the effort. If their pre-tax incomes do not diminish and yet they do not pay their taxes, they break the law and the government is right to punish them. On the other hand, they must not be obliged to maintain the level of activity they had prior to the imposition of taxes, regardless of the changes in their balance of costs and benefits. Everyone has a right to choose his or her own level of activity. Those who decide to reduce their efforts do not break the law but simply enjoy their fundamental rights.

The government does not infringe on anyone's rights when it decides to impose a certain amount of tax on incomes above a given level in order to maintain a 'social minimum' for all its citizens. In this case the regulation merely defines the level of income one might enjoy with a given amount of effort if the system of social interactions is not to treat others unjustly or if the political order is to correct certain intolerable distortions of economic processes. Since no one can legitimately claim advantages that result from the unjust operation of the system, income taxes do not infringe antecedent rights. However, the government does infringe on our rights if it sets a level of income the wealthier citizens must maintain. In this case the government does not provide information about the level of net income which corresponds to the effort they choose to make; rather, it deprives them of the right to determine their level of effort.[15]

By contrast, let us assume that a large group of people reduce their economic activity in the face of an income tax, so that the new tax does not necessarily increase the sum to be redistributed. Public incomes could remain on the same level or even diminish because the increased tax is paid

on a diminishing national product. Thus the government must help a possibly rising number of have-nots from a possibly decreasing amount of resources. If this were a real possibility and if the government were not allowed to force citizens to maintain their pre-tax level of activity, the claim of the poor does not constitute a right.[16]

Whenever we find distribution to be unjust, the government is obliged to create more appropriate conditions. Yet it cannot prevent economic actors from making contrary moves. Instead of *forbidding* conduct that hinders the realisation of its programme it must design the programme with an eye to possible counter-measures. The government must seek techniques to correct intolerable inequalities and to increase the chances of integration for those who belong to the underclass. This obligation, however, concerns the reducing the *sum total* of inequalities and diminishing the *proportion* of the poor. The government cannot be meaningfully obliged to provide every single person with the minimal conditions of social existence as an *individual right*. (This would be possible only if each and every successful citizen could be obliged to raise his or her taxable income to the necessary level.) Furthermore, techniques for realising a 'social minimum' must be regarded as variable and not as fixed principles. One must choose the technique likeliest to produce the best results in light of existing economic strategies. These techniques include direct redistribution of incomes as well as special educational and employment assistance for the poor or a rational regulation of employment rights and insurance policies. It may even include tax cuts for the wealthiest if the resulting economic boom has a better impact upon the situation of the poor than direct redistribution.

The government is not obliged to adopt one or another particular policy, regardless of its prospects. It may be obliged, however, to consider the situation of the poor when it adopts a policy and not the position of the most powerful and most influential groups. Only in this case can it declare that the poor are equal and equally important members of the political community.

Part Seven

These are the broad outlines of a theory of liberty that I think is defensible and able to provide moral standards for evaluating rival political proposals and claims and also for judging the direction of changes that consist in innumerable distinct actions. The argumentation is rather sketchy and has at least one tender point: I claim that no one has a right to advantages which are based on the operation of an unfair system, yet I do not define unfair disadvantages. In Markus' terms, I speak of a 'social minimum' without

further defining this norm. The characteristics of the 'social minimum' are specified by the theory of equality and I am not prepared to express my views concisely on this subject. I therefore confine myself to what was written in the previous section. I must, however, briefly address the difficulty Markus raised about the idea of 'social minimum'. With this problem I arrive at the last section of my study, where I argue that the proposed theory may be defended in the face of Markus' objections.

Markus says that 'social minimum' is not a universal quantity but depends on historical circumstances. Now, why is it necessary that it be a universal quantity? Markus implies that without this universality, particular facts could determine what can and what cannot be claimed in the name of liberty. But the requirement of universality may be interpreted in two different ways. It could either mean that the normative conditions of freedom must be the same *under all possible circumstances*, or it could mean that they may vary in accordance with particular situations, but not arbitrarily. If in a given situation it is justifiable to define them in a certain way, the definition must be the same in situations that are *similar* in all relevant aspects. It must be noted that only the latter case can be meaningfully identified with the requirement of universality.[17] The modern notion of liberty has the reservation that it must be compatible with the liberty of everyone else. 'Everyone' here signifies a set of properties: it means every individual; within the multitude of people it refers to persons in possession of all ordinary abilities; and so on. The emergence of the modern notion of liberty coincided with an extraordinary extension of the range of subjects. The (as yet unfinished) progress of modern philosophy points toward the equality of all people as bearers of the same fundamental rights; it holds that differences in rank, religion, ethnic identity, race, class, etc. are irrelevant. It does not, though, entail that there should not be differences (varying according to the form of liberty in question) that may be justified by critical inquiry. (The exclusion of children from suffrage is a limitation just like the exclusion of women, yet the latter is arbitrary while the former has rational and sufficient reasons.) The requirement of universality does not entail that all conceivable liberties should be extended equally to all conceivable beings. Rather, it means that the demarcation of the range of subjects of any given liberty must be justifiable and that the forms of justification must be applied consistently to all cases.

On this basis, the variability of the 'social minimum' does not raise theoretical problems. What must be demonstrated is that, together with changes in the general conditions of life, the indicators of 'social minimum' are modified as well. In other words, the characteristics of the 'social minimum' in a given situation must be chosen according to a method that

demonstrates that these characteristics must be the same in all similar situations.

Some of Markus' objections to the modern idea of liberty are deeper than this. First of all, he asks, what kind of measure could liberty provide if it is not a measurable quantity? Our knowledge of liberty as a valuable thing is useless if we are unable to tell when we have more and when we have less of it. Can liberty have any role in our choices between alternative political institutions if it consists of incommensurable quantities?

My answer is positive. We do not need any quantitative definition of liberty unless we hold that the solution to be preferred is always the one which creates the *largest number* of alternatives. This view prevailed among early liberals. They held that just institutions must (in Kant's words) grant members of society 'the largest amount of freedom'.[18] We may recognise, however, that they were wrong. To strive for an attainable maximum of freedom is not a rational collective aspiration. Worth of liberty is related to the values of autonomy, independence, and dignity, and is closely connected to the value of equality. Freedom's worth consists in it being a constitutive element of other basic political values. Furthermore, it is not the *largest possible number* of alternatives that ensures an individual's ability to choose the course of his or her life autonomously, to participate in politics as an independent citizen, or to have dignity and equal treatment. What is required is *sufficiently valuable* and reasonable alternatives. If the range of available alternatives is sufficiently wide, an increase in the number of alternatives is no longer necessary for an individual to lead an autonomous life.

Respect for our fundamental rights means that individuals are protected from attempts to reduce their space of action. Furthermore, fair distributional relations grant that each of us have a range of possibilities which we may justly claim in a given economic situation. Since we are considering relatively developed societies, it may be assumed that even the poorest people's amount of liberty must be acceptable; it must enable them to shape their lives independently through reasonable choices. Therefore, if the requirements of fundamental rights and just distribution are met, the regulative principle of collective decisions need not be the increase of freedom because all citizens already have 'sufficient liberty'. Furthermore, the concept of 'sufficient liberty', unlike that of 'the largest possible amount of liberty', does not presuppose a common denominator of the various instances of liberty. It is not necessary that we be able to tell which of any two cases represents the larger amount of freedom; we need only be able to make rough comparisons in cases of glaring inequalities. This may be accomplished without any common denominator. We know without any

measure that the liberty enjoyed by a millionaire is larger than that of a beggar.

But one could assert, pushing Markus' line of argument further, that if a society may be called just if it protects our fundamental rights and maintains a fair order of distribution, it is not clear what function is left to liberty in justifying or rejecting our social institutions. The structure of fundamental rights, the argument might continue, is defined by such values as autonomy, independence, dignity, and equality. Indicators of the 'social minimum' depend on the form of life one needs in order that one's fellows accept one as a peer (or fellow citizen) in any given society. What is the role of freedom here?

This objection would seriously affect the modern idea of liberty if the latter were inseparable from the claim that freedom must have priority over its rivals. True, early liberals tended to phrase the requirement of universality in such a way as to indicate that the restriction of an individual's liberty would be justified only if it protected other individuals' similar liberties.[19] On this view, the fulfilment of universality indeed depends on whether or not liberty has priority over all other values. The condition of universality, however, can be easily separated from this indefensible view. Universality does not require that freedom be restricted by freedom alone, but only that no one's liberty is protected by rights that are not granted to everyone else as well.

In this form, the requirement of universality is compatible with the view that freedom belongs to a larger and mutually dependent group of values. Furthermore, it is compatible with the claim that the content and extent of fundamental rights must be defined by this ordered group of values as a whole and not just by any one of them. Our question then concerns the possibility of establishing an interrelated and consistent theory of these mutually dependent fundamental values which must be maintained *simultaneously* and of which liberty is one.

It is true that liberty alone is incapable of defining the list of fundamental rights and minimal resources which everybody may justly claim. But this fact does not raise any difficulty for us. Liberty does not become a mere ornament if we claim that our liberties are determined by other values. When our society recognises the fundamental liberties of religion and conscience it is not out of respect for the inherent worth of free choice. Rather, it acknowledges that our convictions have a major role in defining our identity; therefore, to infringe on them would hurt our autonomy and dignity. On the other hand, it is not the adoption of any particular belief or conviction that is protected by these rights. To the contrary, our *freedom* to express our reasonably formulated views in questions of religion and worldviews is respected. It is our *freedom* to

determine our wholeheartedly accepted faith and our *freedom* to decide whether we do or do not want to form associations with those holding the same views that is protected. Finally, it is our *freedom* to make our views public or keep them to ourselves that is at stake.

But can we define liberty, the exact measurement of which, we argued, is unnecessary? We defined (negative) liberty as the domain of unconstrained possibilities. This formulation entails our capacity to identify cases of restriction. In Markus's view, the latter is possible only if by restriction of liberty one means physical constraint. For if we include penalised prohibitions it is not clear why persuasion combined with proposals (or, for that matter, any form of influence) should not be regarded as a restriction of our liberty. I think this objection can be answered. If Markus were right, threats and proposals would differ only in their form of expression. Indeed, linguistic differences disappear altogether if one fully analyses their respective contents. The content of the phrase, 'Your money or your life!', may be expressed as the conjunction of the two following hypothetical clauses: 'If you do not give me your money, I will kill you. If you give me your money, I will not kill you'. The phrase, 'My kingdom for a horse', may be expressed with the same conjunction: 'If you do not give me your horse, you will not get my kingdom. If you give me your horse, you will get my kingdom': Yet we are able to distinguish between the contents of the two phrases. A person threatened by someone has worse alternatives than before the threat was posed. By contrast, the addressee of a proposal has better alternatives than he had before the proposal. Regardless of its linguistic form, we speak of a threat if the message worsens our position and of a proposal if it improves our position.[20] Threats, therefore, constitute constraints while proposals do not.

But can we make morally relevant distinctions between cases where freedom is restricted and cases where there is an inability to make decisions? Early liberals made a very sharp distinction between such cases. They held that while restriction of freedom may serve as a basis for moral claims, such claims cannot be based on a lack of ability. Markus demonstrates that the distinction is untenable: a lack of ability may also be the ground of moral claims, which means that there is no morally relevant difference between restriction of freedom and a lack of abilities.

By contrast, I think that even though both cases may be the bases of moral claims, the nature and the normative force of such claims are not identical. I went to some length in the previous section to show that the two basic conditions of a just distribution of liberty (fundamental rights and a fair distribution of resources) establish different kinds of obligation with respect to other citizens and the government. If so, it is possible to make a

moral distinction between a restriction of freedom and a lack of ability, though not exactly the way early liberals conceived it.

Finally, Markus raises two objections that do not directly spring from the analysis of the notion of liberty, but nevertheless have a serious impact on it. These are the theses of value pluralism and the pluralism of worldviews. The importance of various liberties depends for us on the value of the activity or state of affairs with which they are concerned. Since competing values are often incommensurable (ie., we cannot rank them), one cannot decide, Markus argues, which of two liberties should be given priority over the other. Furthermore, our value judgements give rise to serious divisions. What one worldview respects as a value is rejected by another. Quite often, there are no conclusive arguments to settle our disputes. One must assume that the same is true for the value of liberty. It seems, then, that we are not always able to distinguish between just and unjust cases of restriction of freedom.

It seems to me that these objections in themselves do not refute the contention that our modern idea of liberty can guide us in our choices between various social institutions. Let us first consider the problem of value pluralism. One who discovers a difficulty in ranking certain values may make two different propositions. He or she may either say: here we have two values the ranking of which seems uncertain. Or he or she may assert: we know that it is impossible to rank these two values. The latter view excludes any rational attempt to rank our values; the former does not. The fact of uncertainty itself urges us to discuss our values, to analyse them, and to examine how they might fit into our larger value system. It urges us to try to demonstrate the priority of one or another of our values until we reach a definite conclusion. Therefore, Markus must hold the stronger view. But this view requires stronger arguments than the mere observation that the ranking of certain values is ambiguous.

The same holds for the pluralism of worldviews. Let us take the case where there is no consensus (and in the light of well-known arguments it is not even necessary to have consensus) about whether a pregnant woman should have the right to an abortion or a racist should have the freedom to express views that offend the self-esteem of others. In this case one may make two propositions. One may either say that there cannot possibly be one single correct answer to such questions; therefore, there is no hope of eliminating controversy by rational argument. Or one may hold that the controversial character of an issue does not prove that there cannot be a correct answer; therefore, it is reasonable to enter into disputes. If we take the former position, we must accept that where our fundamental convictions are concerned, political decisions cannot but be irrational. But to reach this conclusion it is not sufficient merely to recognise the absence

of universal agreement. It must be demonstrated that rational arguments are altogether useless in such debates. Markus fails to demonstrate this, and so he cannot hold the former view. In this case, however, the recognition of our discord entails nothing more than the necessity of arguing until differences between our views are reduced.

True, political decisions cannot usually be delayed until an agreement is reached about the ranking or recognition of values. The demarcation of rights and the distribution of freedom are usually carried out under circumstances of inevitable uncertainty and irresolvable controversy; they raise complications even if the settlement of the debate is not entirely hopeless. Yet, if we hold it rational to enter into debate, the difficulty can be remedied in the short term. The political establishment of constitutional democracies can be conceived as a practical solution to the problems of value pluralism and the pluralism of world views.

Decisions made in the course of debates divide society and majority decisions are usually less controversial and less unfair. Therefore, it is acceptable as a general rule that majority decisions be obligatory even for those who do not agree with them. Yet the more fundamental the convictions concerned, the less acceptable it becomes to make simple majority decisions. The use of the majority principle must be limited by further principles to guarantee that majority decisions do not infringe on the deepest convictions of minorities. This type of limiting principle states that questions of fundamental convictions do not belong to the government's sphere of competence. Another such principle is that the government should refrain from interfering with our personal lives. When it must interfere with our privacy, it must seek neutral justification for its actions. If the decision cannot be justified neutrally and inevitably injures one of the parties, the government must take into account which party would be affected more seriously by the decision. The more collective decisions adhere to this rule, the less they depend on controversial views in matters of conviction.

The fulfilment of these conditions requires that collective decisions concerning our fundamental convictions be made by bodies obliged to justify their decisions publicly and to confine themselves to strict procedural criteria. Finally, the deeper a moral division is, the more important it becomes to retain the possibility of initiating a revision of decisions. The right to initiate revisions should be open to individuals as well.

The sum of these considerations implies an institutional order in which ordinary controversies are settled by the legislative branch of government by majority vote. Deeper divisions require a qualified majority and such decisions must be subject to judicial review. This system of constitutionally

limited majority government does not provide guarantees against unfair decisions. However, it does provide the best means to correct unfair decisions and the best odds that corrections will be influenced by public debate. Under such conditions, the political community treats all its members as equals, including those whose convictions are opposed to collective decisions. No one may claim that his or her views are not taken into consideration or that he or she is denied the right to appeal. This is the maximum that deeply divided communities may offer.[21]

Part Eight

The backbone of Markus' arguments is the statement that liberty is not a commensurable and neutral quantity. It can therefore not be universal, nor can it have priority over other values. The essence of my answer consists in two modifications in the interpretation of universality and priority. I argued that priority is not a universal criterion of freedom, but only of those special liberties that are protected by rights. Further, I held that when the requirements concerning fundamental rights and fair distribution are satisfied, increasing freedom is no longer a privileged collective undertaking. I wished to demonstrate that, in the light of these modifications, commensurability and neutrality are not necessary for the idea of freedom to be a reasonable criterion of evaluation and a regulative principle of action.

My reasoning was, like most philosophic arguments, rather abstract. This may give the impression that we occupied ourselves with an esoteric intellectual *tour de force*: one philosopher confronted another with a problem to see whether he or she is able to solve it or not. Whatever the outcome, one might be tempted to say, it will not concern the lives of other people. However, this is not the case. The thoughts expressed here have definite political character. On the ideological map of our age, it may be located between free market conservatism and welfare socialism. It may be distinguished from the former by the fact that it acknowledges poverty as a ground for moral claims against the community. It may be distinguished from the latter in that it conceives these claims not as individual rights, but as the government's obligation to reduce the sum total of unfair inequalities. In my view these two propositions demarcate the domain of modern liberalism.

When I mentioned the political character of my views I did not refer to certain abstract convictions. The theory of liberalism as defined here has definite consequences. Like most insights derived from philosophy, they are only indirectly applicable to practical political controversies. On certain

occasions, though, they point to direct political conclusions. These rare occasions are especially important because they reveal the practical significance philosophic arguments might acquire. I here describe such an occasion to illustrate my point.

In 1996 there was a controversy in Hungary as to whether the final text of our constitution should or should not contain social claims against the government and, if so, how these should be formulated. One of the parties insisted on 'social rights' while the other wanted that the government's social responsibility to be regarded as 'government objectives'. The theory outlined here explains why it is wrong to define claims concerning distribution of resources as 'social rights'. The logic of rights entails that it is obligatory to respect them, yet taxpayers cannot be obliged to fulfil claims related to distribution. Furthermore, my theory makes it plain why it is insufficient to treat conditions of fair distribution as mere 'government objectives' without institutional guarantees. Conditions of fair distribution are not mere wishes. If they are not satisfied, a society may not be regarded as just or as forming a political community. My theory implies a formulation in which the social responsibility of the community constitutes an *obligation* for the government. This obligation, on the other hand, does not entail each individual's right to the minimum conditions of life; it implies an obligation to reduce the sum total of unfair inequalities. True, the terminological distinction is meaningful only if institutional procedures (distinct from those of the enforcement of rights) may be associated with it.

How are we to conceive such procedures? To illustrate my case I rely on yet another political controversy between the government and the Constitutional Court about financial restrictions. In 1995 the Court overruled parts of the government's financial measures on the grounds that they infringed on the constitutional guarantees of social security. However, the court itself admitted that it was a matter of opinion whether constitutional guarantees were violated or not. In its view, the question to be considered is whether the government had sufficient reason to introduce such measures. But then the question to be raised is this: who is competent to decide about reasons for financial restrictions? If the government has the right to decide, then the Minister of Finance is the one to define constitutional criteria protecting social security. If the Constitutional Court is to decide, it must also define the central indicators of the annual budget. In either case, the intertwining of different branches of government is imminent. Either the Court must make the budget or the government must interpret the constitution. So long as social claims against the government are conceived in terms of rights, it is impossible to separate spheres of competence. By contrast, if they are defined as mere 'government objectives', the separation is accomplished but the social responsibility of

the government is not secured by constitutional guarantees. However, if we define these claims not as individual rights but as governmental obligations, it becomes possible to find another method to separate branches of government. It implies that the government has the right to decide about cuts in public spending, but it must observe the Constitutional Court's reservations in the process of decision-making. The Court must supervise the budget and declare whether it injures basic interests whose infringement may be justified only in extreme situations. However, the Court's recommendation does not affect the government's right to justify the measures it takes.

This was merely a description of our task. But it makes clear the kind of constitutional procedures we should look for if the above analysis is defensible. We should look for procedures that make possible a desirable interplay between various branches of government and yet retain the government's independence in matters that belong to its competence. Furthermore, they must force the government to take the Court's reservations seriously into account.[22] The conception outlined here is controversial, as is the whole of modern liberalism. Yet the occurrence of theoretical differences makes rational debates possible and necessary. Sheer power and mere compromises are thereby limited by the burden of justification proper to the philosophical examination of moral and political principles. This is exactly the point of philosophical inquiry.

But are they able to live up to the expectations? Markus quotes Hegel at the end of his paper: 'Wie sich die zeitliche, empirische Gegenwart aus ihren Zwiespalt herausfinde, wie sie sich gestalte, ist ihr zu uberlassen und ist nicht die unmittellbar praktische Sache und Angelegenheit der Philosophie'.[23] The lines immediately preceding this phrase make it clear that Hegel meant it literally: 'Die Philosophie ist in dieser Beziehung ein abgesondertes Heiligthum und ihre Diener bilden einen isolierten Priesterstand, der mit der Welt nicht zusammengehen darf und das Besitzthum der Wahrheit zu huten hat'.[24] But Markus cannot consistently hold this view. True, the ruse of history applies to the philosopher as well. The words of the philosopher meet not only other philosophic arguments but also a multitude of unforeseen expressions and events, so that they can have results quite different from the ones the philosopher intended. But this is not a sufficient ground for Hegel's claim that philosophy should withdraw from present practical controversies. Philosophy can provide participants of debates with means to justify their claims against others and it can confront them with the justification of other claims. It may do so not because it possesses infallible and final knowledge but because its vocation is to analyse, criticise, and justify our beliefs about final questions. As long as the need for criticism and justification is maintained, the sheer operation

of power can be confronted with the requirements of rational argumentation. This is remarkable even though the actual outcome of history may take even the philosopher by surprise.

Notes

1   Cf., his book *Kultura es modernitas* (Culture and Modernity) (Budapest: T-Twins, 1992) and his essay ("A 'kultura' antinomies of 'culture'") to be published in the *Magyar Lettre*. I gave a comprehensive account of the development of Markus' views in my study 'Felvilagositok szepunokaja', *Holmi* 12 (1992).

2   In his famous essay 'Two Concepts of Liberty', Isaiah Berlin rejects this understanding because it assumes that a hierarchy might be established between the goals of an individual (in the present case, between his desire for alcohol and his desire to be able to abstain). This would, on Berlin's account, give way to the totalitarian abuse of the idea of liberty. (*Four Essays on Liberty*, Oxford University Press, Oxford, 1969, p.132.) It is not clear, though, how one could make a distinction between a sound and a distorted personality if one rejects the importance of a hierarchical relation between primary preferences (the desire for alcohol) and secondary preferences (the desire not to desire alcohol). Moreover, to acknowledge a hierarchy does not entail the government's right to decide which of the individual's desires should be approved.

3   This description brings us very close to what Immanuel Kant meant by the ethical concept of freedom. Kant regarded actions driven by inclinations as unfree or heteronomous since their source is not the rationally deliberating person but the inclinations which determine him. On Kant's account, an action may be properly said to be one's own only if its motive is that one's inclination may be approved by rational arguments, that is, when one is driven by a maxim and not by inclinations. And one may morally approve an action only if one can (without contradicting oneself) approve someone else following the same maxim in a similar situation. In this case the maxim of the action is a universal rule or a law. Yet this law is imposed upon us by ourselves because we acquire it through rational insight. If we follow a self-imposed law we are free. (*Groundwork of the Metaphysics of Morals*, Section One.)

4   This is how John Locke understood the relation between laws and liberty in his *Second Treatise on Government*, §22 and §57.

5   This notion of political freedom has its origins in Rousseau's *The Social Contract*, bk. II, ch. 4.

6   'Private' and 'public' as defined here do not coincide with the regular use of these terms. For example, we have the right to negative liberty in the sphere of public activities as well. For instance, the government must not intervene in our political expression.

7   B. Constant, *La liberte chez les anciennes et les modernes*.

8   Cf. R. Nozick, (1974), *Anarchy State and Utopia*, Blackwell, Oxford.

9   Cf. J. Naverson, (1988), *The Libertarian Idea*, Temple University Press Philadelphia p.13. Markus mentions a third argument applied by Hayek which may be summed up as follows: only those interventions restrict our liberty which restrict the individual's range of choices in order to satisfy another person's

arbitrary needs. The laws of a state (or at least the ones which satisfy the requirement of non-discrimination) establish impersonal and abstract rules of behaviour and thus do not restrict liberty. This argument is too specific to concern us here. Cf. F.A. Hayek, (1960), *The Constitution of Liberty*, University of Chicago Press, Chicago, p.133.

10   It was Rousseau who went farthest this way. See *The Social Contract*, bk. III, ch.15.

11   Here we face two difficulties. First, different types of action cannot be divided into units which are present in all of them and yet constitute meaningful actions in themselves. For example, for a Christian, two hands touched at the height of one's nose and mouth is the sign of praying. By contrast, raising either the right or the left hand does not mean half of the praying but is (in itself meaningless). The waltz consists of a series of harmonious steps, but these constitute dance steps only in a periodical sequence; performed separately, they are meaningless. Thus, the operation which would be the common measure of praying and dancing is not a meaningful action. Moreover, the smallest meaningful unit is not identical in the cases of praying and dancing. There is no single homogenous unit of action from which any act could be reconstructed. The other source of the problem is this: when we speak of (negative) liberty, according to a widely held analysis, we make propositions like this: 'a certain person is not restricted in performing a given action by constraints imposed by other people'. On closer scrutiny, however, it turns out that it is not one single act that is permitted by the lack of constraints. Propositions about an individual's liberty refer not to actually performed acts but to potential ones which the individual may or may not perform if he or she is not restricted, Liberty is a range of opportunities. It cannot be described by a finite enumeration of possibilities. Let us imagine a large park surrounded by a high stone wall with only one gate. He who has a key to the gate is not hindered by the wall to enter the park. But there is more to it than that. If once he has succeeded in entering the park, he has a range of opportunities which one who is left outside is not free to do. He can sleep on the ground, he may run here and there, he may collect flowers, listen to the birds, he may turn cartwheels, he may sing operas without being disturbed by others. The sum of hypothetical activities is an open set: it is impossible to tell exactly what it entails. But if we cannot tell what sort of possible activities belong to two (negative) liberties, how could we compare the extension of the two?

12   Cf. C. Taylor, 'What is Wrong with Negative Liberty', in A. Ryan, ed., (1979), *The Idea of Freedom*, Oxford University Press, Oxford.

13   In chapter 21 of the *Leviathan*, Hobbes defines restriction of liberty as physical obstacle. However, in the subsequent paragraphs his attention shifts to legal prohibitions. In *On Liberty*, J.S. Mill considers even the pressure of public opinion as a grave and compensable constraint on freedom.

14   Cf. G. Markus, 'A rendszer utan: a filozdfia a tudomanyok koraban', *Magyar Tudomany*, 8 (1992).

15   In *Anarchy, State and Utopia*, Robert Nozick denies the meaningfulness of this distinction, (pp.167-174). In his view, to impose extra tax on someone and to force him or her to perform extra work are the same. Both are cases of forced labor. I argue that Nozick is wrong and that there is a real difference between these cases. To define the level of gross income one must achieve in order to acquire a certain level of net income does not infringe anyone's autonomy if the extra burden is of a justifiable proportion. To prescribe the amount of money with which one must

contribute to the self-preservation of others regardless of one's intentions does restrict our autonomy.

16   It may be objected that the costs of both protecting rights and maintaining a fair system of distribution consist of two components, one of which I have not taken into account. This component derives from the fact that the protection of rights and the redistribution of income make government necessary. Moreover, the operation of government has its own costs. It must collect taxes to finance its operation; this is true with respect to the distributional organisations as well as to the police and the legal establishment. Furthermore, our economic strategy in relation to taxes is indifferent to the purposes they serve; the only thing it considers whether our net incomes and efforts are proportional or not. But in this case, if we have no right to a social minimum, my opponent could argue that the protection of negative liberties, however important they may be, does not constitute a right either. But this argument is wrong. It is true that the operation of government has its costs, but they do not consist solely in the protection of fundamental rights. Moreover, it is not clear whether protecting our rights is more costly than violating them. Freedom of press is less costly than the substantial control of newspapers because the former makes censorship useless. Freedom of religion is cheaper than the prosecution thereof because the former makes the Office for Church Affairs useless. Freedom of assembly is cheaper than a state monopoly on assembly because the former makes secret police as a means of intimidating citizens unnecessary. True, such statements cannot be simply generalised. For instance, to protect our rights that are related to public security is more costly than to ignore them. Yet even these costs are incomparably smaller than those of granting a 'social minimum' to everyone. In 1995 the aggregate public costs of police, prosecution, courts, and prisons amounted to 1.5% of public spending in Hungary. By contrast, social spending amounted to 22% of the budget. A 10% increase or reduction in the cost of protecting our liberties concerns a relatively insignificant 0.15% of the budget. A 10% change in public spending amounts to 2.2% of the budget, which affects the balance of incomes and spending considerably.

17   Richard Hare claims that we should distinguish between the universality and the universalisability of a moral principle. A principle is universal if it is valid for all possible cases and it is universalisable if it is valid for all cases that are similar in all relevant aspects. *Freedom and Reason*, (1963), Clarendon, Oxford, p.10. In Hare's terms the requirements of liberty must be called universalisable and not universal. It must be added, however, that the relevant set includes all competent people (or all citizens of a state).

18   See Kant, *The Critique of Pure Reason*, Subsection II, Book I, Section I.

19   See H. Spencer, (1982), 'The Proper Sphere of Government', in *The Man Versus the State*, Liberty Classics, Indianapolis, p.191.

20   True, it is not always easy to decide which is the case. Think of the following example: the German army invades Hungary in March, 1944 and forces the Jews to move to the ghetto. Deportations begin; then, an SS officer meets Manfred Weiss and tells him: 'If you pay us one hundred thousand Marks you and your family will not be deported'. Is it a threat or a proposal? Manfred Weiss's situation is clearly better after the conversation than it was before it. Yet it is undoubtedly worse than it was before the German invasion. The question is, then, which of the situations should serve as the basis of comparison. At first glance, it would seem obvious that the basis of comparison is the situation immediately

preceding the conversation, since that is the one which was given at that time. If a bankrupt company is offered a loan at high but realistic interest rates, it would not occur to us to consider the proposal in the light of an earlier situation when the company was still prosperous. (Except if the creditor first destroys the company and then goes on to offer a loan, making use of the other's situation). The case we have cited above is exactly like this one: Hungary was occupied by the *Wehrmacht*, the establishment of the ghetto and the deportations were supervised by the SS. Therefore, our choice of the basis of comparison depends on normative hypotheses. It depends on which of the original situations is *expectable*. It indeed constitutes a significant difficulty but it does not mean that we are not able to make distinctions between threats and proposals. See A. Wertheimer, (1989), *Coercion*, Princeton University Press, Princeton, 1989.

21   I examine these issues in details in chapter 1 to 3 of my book, *Az allam semlegessege* (Atlantisz, 1997). See especially the essay entitled 'Az 511am semlegessege'.

22   I have outlined such a procedure in my article, 'Osszefonodo hatalmi agak', *Nepszabadsag*, 15 July 1995.

23   G.W.F. Hegel, *Vorlesungen uber die Philosophie der Religion*. Hegels Samtliche Werke (Jubilaumausgabe) Stuttgart, Fr. Frommans Verlag, 1959, p.356.

24   Ibid.

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5 Williams and Markus on Production

PAUL JONES

Preliminaries: Farewell Base and Superstructure?

The work of Raymond Williams has been a regular point of reference in György Markus' discussions of the Marxian production paradigm, Marxian theories of culture and the practice of ideology critique. These discussions constitute a welcome alternative to the interpretative orthodoxies within the scholarship on Williams that has proliferated since his death in 1988. Few studies of Williams' work, especially those written within 'cultural studies', have broken from the Althusserian constraints of Terry Eagleton's 1976 critique (Eagleton, 1976) or the sometimes co-existing romanticisation of Williams as a well-intentioned class-conscious post-Leavisite literary analyst who never quite coped with 'theory'. Such interpretations have even tended to continue the conflation established in the 1950s between Williams' work and that of his contemporary, Richard Hoggart, who founded the Birmingham Centre For Contemporary Cultural Studies in 1964 (c.f. Jones, 1994).

Markus instead focuses on the mature project that Williams called, in response to Eagleton, cultural materialism (Williams, 1976, 88; 1980a, p.243). This project found its fullest theoretical articulation in a proposed sociology of culture (Williams, 1995). Again, Markus' emphases reverse the priority of that critical orthodoxy which tends to baulk at detailed engagement with Williams' later work.

There is one exception to this tendency, however, which requires some initial discussion. This concerns Williams' famous 1973 essay, 'Base and Superstructure in Marxist Cultural Theory' (Williams, 1973). Markus shares the view of the interpretative orthodoxy that Williams there abandons the titular metaphor. Indeed, for Markus this essay announces Williams' 'decisive farewell' to base and superstructure (Markus, 1994a, p.435).

In fact, Williams does *not* reject the base and superstructure metaphor out of hand but rather rejects its *epochal* version in Marx's *1859 Preface* for the historical-conjunctural 'class superstructure' version Marx employed in *The Eighteenth Brumaire of Louis Bonaparte*. The same juxtaposition of the alternative versions of the metaphor is practised by Williams in the 1958 *Culture and Society* (Williams, 1990, pp.266-267) and the 1977 *Marxism and Literature* (Williams, 1977, pp.75-76). Confusion has arisen because the 1973 essay does not discuss *The Brumaire* and only develops its 'positive' case schematically. But Williams constantly reiterates throughout *Marxism and Literature* that he rejects any form of conflation of 'epochal' and 'historical' cultural analysis (eg. Williams, 1977, p.121). By 1983 he is prepared to endorse *The Brumaire's* mode of analysis of conjunctural class-superstructural 'representation' in his long essay, 'Marx on Culture' (Williams, 1989a).

The relevant passage in *The 1859 Preface* is of course famous but those Williams cites from *The Brumaire* are perhaps less well known.[1] The first is the following:

A whole superstructure of different and specifically formed feelings, illusions, modes of thought and views of life arises on the basis of the different forms of property, upon the social conditions of existence. The whole class creates and forms these out of its material foundations and the corresponding social relations. The single individual who derives these feelings etc through tradition and upbringing may imagine fancy they form the real determinants and the starting-point of his activity. (Marx, 1973a, pp.173-174)

This passage appealed to Williams more than that in *The 1859 Preface* because the 'base' here is clearly a social class rather than a mode of production. Likewise, the superstructure is primarily a 'class culture' while *The Preface's* version, on Williams' reading, invokes primarily the legal and political superstructure of the state but yokes in aesthetics and philosophy only collaterally, and so inappropriately. In the 1973 essay Williams declares:

... I have great difficulty in seeing processes of art and thought as superstructural in the sense of the formula as it is commonly used. But in many areas of social and political thought - certain kinds of ratifying theory, certain kinds of law, certain kinds of institutions, which after all in Marx's original formulations were very much part of the superstructure - in all that kind of social apparatus, and in a decisive area of political activity and construction, if we fail to see a superstructural element we fail to recognise reality at all. These laws, constitutions, theories, ideologies, which are claimed as natural, or as having universal validity and significance, simply have to be seen as expressing

and ratifying the domination of a particular class. (Williams, 1973, 7, 1980a, pp.36-37)

As Williams never sources the metaphor to a particular text in this essay, it is unclear whether he means by 'Marx's original formulations' *The 1859 Preface* or *The Brumaire* or perhaps both. In *The 1859 Preface* Marx certainly did include 'aesthetic forms' in the superstructure. But the demarcation is nonetheless striking. In *Marxism and Literature* Williams demonstrates how variable the 'content' of the superstructure can be in its different formulations by Marx but does not reassert quite this position there (Williams, 1977, pp.75-82). However, philology aside, the significance of the above is that for Williams, in 1973, 'processes of art and thought' could not be seen as superstructural nor, it seems, as ideological while universalising 'social apparatuses' of, presumably, the state, and perhaps an arena of overt political contestation, should be seen so. Moreover, the chief significance of this superstructural character of such ideological forms is that they are seen to 'express and ratify the domination of a particular class'.

This was to prove a fateful line of argument. Having rejected epochal reductivism for more nuanced historical analyses in the case of aesthetic culture, Williams seems content to leave what is in effect a state-superstructure to a potentially reflectionist class determinacy. From here on (1973), Williams pursues instead Goldmann's emphasis on '(active) consciousness' and the ways in which 'social groups form and define themselves'. Williams' attention so shifts to his own reconstruction of the elements of the base and superstructure metaphor, including the mode of determination of the latter by the former. Determination is conceptualised as the setting of limits and exertion of pressures rather than reflection. Here another passage from *The Brumaire* became relevant. This is the discussion of the petty bourgeois 'representative' role of the 'so-called Social Democratic party':

> Nor indeed must one imagine that the democratic representatives are all *shopkeepers*, or their enthusiastic supporters. They may be poles apart from them in their education and their social situation. What makes them representatives of the petty bourgeoisie is the fact that their minds are restricted by the same barriers which the petty bourgeoisie fails to overcome in real life, and that they are driven, in theory, to the same problems and solutions to which material interest and social situation position drive the latter in practice. This is, in general, the relationship between the *political and literary representatives* of a class and the class which they represent. (Marx, 1973a, pp.176-177)

In the closing argument of the 1983 essay Williams immediately comments on this passage thus:

> This can be taken too simply, but it is the source of the important modern Marxist conception of *homology,* or formal correspondence, between certain kinds of art and thought and the social relations within which they are shaped. This conception can reveal determining relations at a quite different level from the bare proposition that 'ideas are nothing more than the ideal expression of the dominant material relationships'; among other reasons is the fact that something more than reflection or representation is then often in question, and art and ideas can be seen as structurally formed, in their own terms, within a general social order and its complex internal relations. (Williams, 1989, p.224)

This last is indeed the crucial gain *The Brumaire* exemplifies for Williams - the recognition of the immanent development of cultural forms 'in their own terms'. Yet this would appear to reverse the exclusion of 'art and thought' from any superstructural positioning ten years before. But the evidence of Williams' own 'conjunctural' practice suggests that the corresponding 'social relations' and 'social order' are conceived, as in 1973, as those of a dominant social class with little attention to those 'complex internal relations' which relate to the state.

His work on the Bloomsbury Group is here exemplary. 'The Bloomsbury Fraction' reads as if it were a direct application of the methodology of the 'intellectual representative' passage from *The Brumaire* cited above. Williams treats the members of the Bloomsbury group precisely as if they were contending representative forces on the 1848 French political stage. Williams' analysis postulates a homology between Bloomsbury's bourgeois dissidence and its 'civilising' ethic (Williams, 1980b; Williams, 1995, pp.71-81).

But homological correspondences are soon also sort as a methodological alternative to the displaced role of a (over)determining 'mode of production'. In the late sociology of culture and especially in the later work on 'the media', Williams 'culturally duplicates' the *components* of the traditional base (forces and relations of production); but he does so unevenly. Intellectuals and artists are increasingly referred to as 'cultural producers' (Williams, 1995, pp.206-231) but only the means of cultural production receive a consistently detailed typologisation (Table 3). There is no doubt however, that Williams saw a role for a continuing existence of general 'social productive forces' of which the cultural productive forces are a subset. Means of communication could thus be conceptualised as both instruments of aesthetic objectivation - 'cultural production' - and as elements of 'social production' (Williams, 1980c; Williams 1995, pp.87-118).

Williams's resulting efforts - together with those of Adorno - provide a kind of limit case for Markus of the plausibility of applying the production paradigm to culture. Accordingly, his criticisms of Williams are quite stringent. There are chiefly two criticisms. The first relates to the relationship between emancipatory ideology critique and the role of cultural forms and traditions. The second relates to the very application of the production paradigm to culture.

Ideology Critique and Cultural Form

It is necessary to preface the discussion of the first criticism with a brief account of Markus' own conception of Marxian 'emancipatory' ideology critique.

Crucially, Markus defines *emancipatory* ideology critique against the more common understanding of ideology critique as the 'unmasking' of social interests. This distinction in turn relies on discretely different conceptions of 'ideology' operative within Marx's work which nonetheless share the key function of justificatory legitimation of a social order or social interests.[2] *Unmasking* ideology critique thus deals with the representation of relatively short-term momentary social interests and its appropriate method is what Markus calls 'sociological reduction': ie. 'uncovering behind a system of ideas or representations their genuine practico-social life basis' (Markus, 1995, p.69). Markus associates such sociological reduction with the base and superstructure metaphor.

In contrast, Markus argues that Marx's emancipatory ideology critique addresses quite different ideologies - usually sophisticated theories (eg. the economic writings of Ricardo) - of a more 'epochal' character whose ideological dimensions are chiefly discernible in their 'unthematized taken for granted premises'. In contrast to the direct causality assumed by 'sociological reduction', the method of emancipatory ideology critique is a subtle hermeneutic which teases out these undeclared assumptions. In so doing such a hermeneutic critique can reveal the incomplete 'emancipatory' project of such ideologies by holding their utopian 'promise' to account by pointing to these immanent contradictions.

We could thus draw a preliminary parallel between 'the *Brumaire* solution' to the problems of conjunctural analysis and a 'sophisticated' unmasking critique. Markus does not distinguish between *The Brumaire* and *1859 Preface* versions of the metaphor so one might move beyond Markus' position in order to distinguish between sophisticated and vulgar 'sociological reduction'. The hermeneutic method of emancipatory ideology critique clearly does not easily fit the base and superstructure model at all.

And yet, as we have seen, Markus restricts emancipatory ideology critique to the critique of 'epochal' ideologies that transcend the momentary interests that produce a 'masking' ideology. As discussed above, Williams makes a comparable but not quite compatible distinction. He rejects the *1859 Preface* and all other epochal conceptions of determination because of the necessarily reductive consequences, for him, of attempting to demonstrate determination by the mode of production upon discrete cultural phenomena. It is on the basis of his distinction between 'epochal analysis' and 'historical analysis' that he breaks most fundamentally with Lukacs and Goldmann.

Markus and Williams' positions here don't so much contradict as lack sufficiently common ground, especially a conceptual metalanguage, on which to meet. While Williams effectively restricts base and superstructural determination to situations which suit 'the *Brumaire* solution', Markus privileges epochal ideologies over conjunctural ones. However, his reasons for doing this strongly resemble those that led Williams to *The Brumaire:*

> But the relationship which the 'emancipatory' notion of ideology posits and establishes between the 'material life conditions' and their cultural-ideological 'expressions' is *not* (as in the conceptualisation in the basis/superstructure dichotomy) that of causal functional dependence, but of *transposition,* more exactly of a universalising, totalising, *transformation* of the constraints of circumstances and material practices into constraints of discourse and representation, a transposition which always depends on the characteristics and requirements of the cultural genre in question, on the mobilizable cultural traditions, and on the concrete use made of them. (Markus, 1995, p.73)

As already argued, Williams embraced 'the *Brumaire* solution' for almost exactly the same reasons ie. because 'art and ideas can be seen as structurally formed, in their own terms, within a general social order and its complex internal relations' (Williams, 1989, p.224). So what Williams finds available as an alternative within varieties of usage of base and superstructure, Markus finds only in an understanding of ideology-critique which seems 'to pry apart the conceptual scaffolding of basis and superstructure' (Markus, 1995, p.73).

It is this difference in perspective which also frames Markus' critique of Williams' understanding of cultural form. Williams demonstrates for Markus the problems inherent in attempts to reconcile the historicising impetus of emancipatory ideology critique with, firstly, the specificity of cultural forms and, secondly, with cultural traditions which transcend 'epochs'. The task announced but never undertaken by Marx in the case of cultural forms is to provide reconstructions of their social genesis. In the case of cultural traditions there is Marx's well-known and justifiably much-

disparaged thesis in *The 1857 Introduction* that the continuing attraction of Greek art and epic is due to their bearing the 'eternal charms' of the 'historical childhood of humanity' (Markus, 1995, pp.76-79; Marx, 1973b, pp.110-111).

Markus finds that in much twentieth century Marxian cultural theory these two problems of emancipatory ideology critique have become conflated. Moreover, a recurrent type of solution emerges which owes much to Marx's 'eternal charms' thesis: a tendency to appeal to a dehistoricised conceptualisation of 'maturing' cultural practices grounded in an anthropological conception of 'fundamental' genre categories.

Williams presents a limit-case here for Markus precisely because of the thoroughgoingness of his historicism. He contrasts Williams' 1971 criticism of Lukacs and Goldmann with a passage from *The Sociology of Culture*. In the former Williams appears to condemn the use of formal analysis as 'an idealist abstraction in which 'epic' and 'drama', 'novel' and 'tragedy', have inherent and permanent properties from which the analysis begins and to which selective examples are related' (Williams, 1980a, p.27). In the latter Williams appears to advocate just such permanent properties when he posits *modes* as 'deep forms' which 'can be related more to the sociology of our species, at a certain level of cultural development, than to the specific sociology of a given society at a certain place and time' (Williams, 1995, p.194).

Indeed, this apparent contradiction could be seen as even sharper as Williams also reiterates his critique of Goldmann's genetic structuralism in the later work (Williams, 1995, p.144). Yet both references also make it plain that Williams objects to what he regards as Lukacs' and Goldmann's *a priori* exclusion of historical cases which might contradict their propositions. The categories of analysis (and so the specificity of the analysis) are simply 'too large'. Goldmann especially is seen to succeed in capturing cultural-formal shifts *across* epochal transitions only to fail in achieving sufficient specificity of 'micro-structural analysis' *within* the social orders of bourgeois society (Williams, 1980a, p.26). Thus, despite their sophistication, Lukacs and Goldmann are deemed to privilege 'epochal analysis' over 'historical analysis'.

Characteristically, Williams proposes a nuanced typology which incorporates those elements he respects in the positions he is criticising:

Table 5. 1   Williams's Conception of 'Internal Reproduction' of Cultural Forms

Form	Determinancy	Examples
Mode	Reproducible modes relatively independent	Drama Lyric Narrative
Kind/genre	Specific realisations of 'modes' within definite social orders which have *some* dependence on that order	Tragedy Epic Romance
Type	*Correspondence* with 'specific and changed social character of an epoch'	'Bourgeois' drama

Source: c.f. Williams, 1995, pp.193-195.

This typology is provided here to aid understanding of why Lukacs and Goldmann are regarded disapprovingly by Williams for having projected transhistorical propositions from the cultural forms of genre/kind and type. He argues instead that such claims could only be made for the deeper, genuinely trans-epochal, level of the mode.

Doesn't this conception of mode nonetheless confirm Markus' charge of a retreat into 'fundamental' genre categories by Williams? While he certainly states what he states about modal forms, Williams also immediately adds the following codicil: 'Yet these markedly longer phases and rhythms - these deepest forms - can no more be abstracted from general social development than they can be reduced to merely local conditions' (1995, pp.150-151).

Reduction, whether 'sociological' or anthropological, is clearly not a deliberate option for Williams here. It will be remembered, moreover, that Markus' critique turns on a further charge that cultural forms and enduring cultural traditions become conceptually conflated. Williams, in contrast, clearly separates the two issues. Traditions are not conceived as necessarily tied to modes or even genres or types. Rather, traditions are located within an historical rather than epochal mode of analysis. *Selective traditions* are products of social institutions of cultural reproduction, especially education and informal intellectual formations (1995, pp.187-188).

Likewise, the constitution of a dominant cultural tradition is a key moment in the establishment and maintenance of hegemonic rule within a specific social order (of a nation state) (Williams, 1977, pp.115-127).

Williams' embrace of the Gramscian concept of hegemony is the most obvious result of his rejection of 'epochal analysis' (Williams, 1977, p.121). He and Gramsci share a similar respect for the conjunctural model of determinacy present within *The Eighteenth Brumaire of Louis Bonaparte*.[3] Even more than his famous distinction between dominant, residual and emergent, the very recognition of tradition as a component of hegemonic practice could be seen as Williams' most significant contribution to the post-1970s reception of the Gramscian model. Table 2 summarises Williams' conception of hegemony.

Table 5.2   Williams' Typology of the Role of Socio-cultural Forms in Hegemony

Position of socio-cultural practice/form	Definition/role in Hegemony	Example
Dominant	Central system of meanings and values which is dependent for renewal on process of *incorporation* of elements of residual and emergent forms. Agencies of incorporation are primarily 'socialising' institutions, selective traditions and formations (informal artistic/ intellectual groupings).	British hegemony in a given period
Residual	Formerly dominant forms which have survived to play an reduced but active role in present (unlike the incorporated archaic). May assume incorporated, alternative or oppositional role towards the dominant.	Idea of rural community organised religion
Emergent	New forms whose most likely sources are a rising class, new formations or new social movements. May assume incorporated, alternative or oppositional role towards the dominant.	19c British radical popular press (which moved from oppositional to incorporated)
Pre-emergent/ structure of feeling	Pre-articulated 'social experiences in solution' at a stage prior to their achieving an objectivated form	That which is (later) rendered in historical semantic shifts in 'keywords'

However, as we have seen, Williams also shares with Adorno a tendency to regard cultural forms, especially modes, as cultural productive forces. While the reference to the 'sociology of our species' in the passage Markus cites is significantly 'fundamental', the simultaneous invocation of 'a certain level of cultural development' points to an alternative rendering more conceptually consistent with Williams' historicism. It derives from Williams' cultural duplication of the categories of 'the base'. Such cultural development is closely tied to the available means of cultural production. But this also draws us back to Williams' very invocation of the production paradigm for culture. This in turn is the site of Markus' other line of criticism of Williams.

Cultural Production

Markus argues that the very adoption of the paradigm of production/labour as 'material production' fails to address, indeed arguably renders conceptually impossible, the specificity of cultural objects as primarily bearers of cultural meanings.

The production paradigm in Marx recognises not an ontological essence but the dual role of physical labour and 'designing' mental labour as two types of productive activity which generate, with the development of the division of labour, correspondingly different types of objectivation. However, for Marx, cultural objectivations are not then 'outside' the realm of material production. Both forms of product are indeed the result of the bringing together of both forms of work (Markus, 1986, p.43). The objectivating dimension of 'material' labour is precisely Marx's means of acknowledging this intellectual component in products with definite use-values.[4] Cultural objectivations, self-evidently, are principally the products of intellectual labour, 'meaning-complexes embodied in some material form' (Markus, 1990, p.100).

To 'reintroduce' the production paradigm to cultural objectivation is thus potentially tautological. Indeed the danger of reductivism could return in a new form where 'meaning-complexes' are reduced to 'material form'.

For Markus objectivation and materialisation are the two key *but distinct* features of the Marxian production paradigm. *Objectivation*, as we have seen, is the human process of rendering 'human needs and abilities' into the object- form of material products in order to perform a specific use. This constitutes their 'material content'. *Materialisation* refers to the simultaneous embodiment within those same products of definite social relations, their social 'forms'. The latter derive from the social conventions of 'proper' modes of consumption/appropriation of these objects (Markus, 1986, p.51ff).[5]

This dual characterisation requires a process of reproduction as renewal of their sheer physicality and their social rules of use. Both provoke the larger question of societal reproduction (Markus, 1986, p.54).[6]

Consistent with this for Markus, specifically cultural objects are further required to meet the criterion of novelty within the culture of modernity. They are exceptional objectivations, *unique* works of 'creativity'. For Marx they are thus 'ideal objectivations'. Rather than producers of artworks, artists are creative authors. Markus finds then that attempts to apply the production paradigm to culture ie. the very conceptualisations of 'cultural production' - fail especially at this level of reproduction. For while it is a defining feature of objects of utility that they require replacement (reproduction), often with duplicates, cultural objects as such do not. Instead, appropriate consumption by an appropriately competent public is the principal condition of a cultural object's 'immaterial' reproduction-as-survival. That is, the 'material form' of a cultural object is merely the bearer of a cultural meaning which is the appropriated/consumed component of the object. As such, it cannot 'materially' be destroyed or 'wear out', at least not in the process of its 'proper' cultural consumption. Rather, its reproduction-as-survival as a cultural object is dependent on its continued 'cultural' consumption. Thus while objects of utility require regular reproduction by 'material' replacement, cultural objects require reproduction by regular cultural consumption. These, in effect, are the preconditions of an autonomous cultural sphere (Markus, 1990, pp.99-101).

This further underpins Markus' view that 'cultural production' is a potentially tautological postulation. This problem manifests most obviously as an issue of cultural consumption. The tautology effectively destroys the distinction between cultural consumption and the consumption of other objects. Markus thus says of attempts such as Williams' to employ a production paradigm:

> ... their emphasis, in my view, falls predominantly and one-sidedly, upon those social institutions which *pertain* to the sphere of culture, ensuring its integration into the total process of social reproduction, and not on the social relations *constituting* the realm of culture as such. (Markus, 1990, p.99)

Williams does indeed have a strong interest in the question of the integration of cultural production into social reproduction. This is why he maintains a distinction between cultural and social productive forces and relations. However, this is not a 'one-sided' interest. He is vitally interested in the constitution of the field of culture 'as such' by institutions, traditions and (intellectual) formations. The difficulty here is that Markus' premised Marxian distinction between ideal cultural objectivation and other objectivations is the very one Williams wishes to challenge. Even the most

'ideally' creative artists remained, Williams insists, skilled 'producers' (at some level) of what Markus recognises as the 'material bearer' of the 'meaning-complex' of the artwork.

Such differences between Markus and Williams can be met in a similar way to those of cultural form and tradition discussed above. Indeed, the issues eventually overlap entirely. Again, there is less actual disagreement here than a lack of a common metalanguage which is certainly complicated by Williams' imprecise usage of categories that Markus delineates with far greater precision.

Reconciliation?

The beginnings of this common ground can be found, once again, in Williams' ambiguous formulations in the 1973 base and superstructure essay. The key section is the somewhat enigmatic conclusion, 'Objects and Practices' (Williams, 1980a, pp.47-49). Markus is drawn particularly to Williams' closing declaration there that 'we should look not for the components of a product but the conditions of a practice' (Williams, 1980a, p.48). He interprets this as the first sign of Williams' *de facto* embrace of the production paradigm and that 'decisive farewell' to the base and superstructure metaphor (Markus, 1994a, p.435). I have already argued that Williams does not abandon the base and superstructure metaphor completely and indeed actively re-embraced it in 1983. With that matter put aside, it can be seen that in building his case summarised in the phrase Markus cites, Williams tries to recognise much the same points Markus makes in his criticism of the 'tautological' tendencies in 'cultural production'. However, this convergence of views comes *at the expense of Williams' rejection of a generic adoption of the categories of object/objectivation*:

> ... the true crisis in cultural theory, in our own time, is between this view of the work of art as an object and the alternative view of art as a practice. Of course it is at once argued that the work of art is an object: that various works have survived from the past, particular sculptures, particular paintings, particular buildings, and these are objects. This is of course true, but the same way of thinking is applied to works which have no singular existence. There is no *Hamlet*, no *Brothers Karamazov*, no *Wuthering Heights*, in the sense that there is a particular great painting. There is no *Fifth Symphony*, there is no work in the whole area of music and dance and performance, which is an object in any way comparable to those works in the visual arts which have survived. And yet the habit of treating all such works as objects has persisted because this is a basic theoretical and practical presupposition. But in literature (especially drama), in music and in a very wide area of the performing arts, what we

permanently have are not objects but *notations*. These notations have then to be interpreted in an active way, according to the particular conventions. But indeed this is true over an even wider field. The relationship between the making of a work of art and its reception is always active, and subject to conventions, which themselves are forms of (changing) social organisation and relationship, and this is radically different from the production and consumption of an object. It is indeed an activity and a practice, and in its accessible forms, although it may in some arts have the character of a singular object, it is still only accessible through active perception and interpretation. This makes the case of notation, in arts like drama and literature and music, only a special case of much wider truth. What this can show us here about the practice of analysis is that we have to break from the common procedure of isolating the object and then discovering its components. On the contrary we have to discover the nature of a practice and then its conditions. (Williams, 1973, p.15; Williams, 1980a, p.47)

The introduction of the category of *notation* is thus also quite crucial to the replacement of 'art object' by 'practice'. Rather than 'ideal objectivation', Williams reconceptualises art as a practice constituted by such material notations as that in the paradigmatic example of the script of an enacted dramatic performance.

This formulation goes a considerable way towards answering Markus' critique of 'cultural production' in that it speaks directly to the specificity of the role of cultural consumption in the reproduction of the artwork. As Williams wishes to conceptually extend the notation model beyond its manifest forms to all (objectivated) aesthetic practice, acts of notation would appear to require determinate means of cultural production.

Rather, notations are themselves regarded as means of production by Williams. He makes this explicit in discussion of the case of literary notation in *Marxism and Literature*. In so doing he returns to the issue of 'levels of development' of such cultural productive forces:

To understand the materiality of language we have of course to distinguish between spoken words and written notations. This distinction ... has to be related to a development in means of production. Spoken words are a process of human activity using only immediate, constitutive, physical resources. Written words, with their continuing but not necessarily direct relation to speech, are a form of material production, adapting non-human resources to a human end. There are now intermediate cases, in the mechanical and electronic recording, reproduction and composition of speech, yet these are not, of course, notations, though difficult problems of notation are at times involved in their preparation. But the central characteristic of writing is the production of material notations, though the purposes and therefore the means of production are variable. ... the characteristic 'literary' form is written notation for reading. It is characteristic of such notations, in printing but also in copying, that they

are reproducible. They are unlike normal forms of produced material objects, even such related forms as paintings. For their essential material existence is in the reproducible notations, which are then radically dependent on the cultural system within which the notations are current, as well as, in a secondary way, on the social and economic system within which they are distributed. (Williams, 1977, pp.169-170)

This conceptualisation forms the basis of Williams' typology of means of cultural production. As with the category of cultural forms queried by Markus, a quasi-'fundamental' tendency is evident here. Williams wishes to recognise trans-epochal 'bodily inherent' means as a separate type that preceded the production of 'separable objects' but which has continued as a sub-category of cultural production. Consistent with the notation/object distinction, this typology effectively drives a wedge between 'pre-objectivated' and 'objectivated' cultural practices.

Table 5.3   'Human and Non-human' Means of Cultural Production

Human Resource/Means of Production	Example
(i) inherent (bodily) resources	dance, song, speech
(ii) combination of inherent and related separated objects	masks, body paint etc.
(iii) instruments of performance	musical instruments
(iv) separable objects which carry cultural significance	use of clay, metal, stone and pigment in sculpture and painting
(v) separable material systems of signification	writing
(vi) complex amplificatory, extending and reproductive technical systems	subjection of any of above to amplification, extension or reproduction by 'means of communication'

Source: c.f. Williams, 1995, pp.86-90.

For Williams the rationale for this set of specifications is clear:

The invention and development of material means of production is a remarkable chapter of human history, yet is usually underplayed, by comparison with the invention of what are more easily seen as forms of

material production, in food, tools, shelter and utilities. Indeed a common ideological position marks this latter area off as 'material', by contrast with the 'cultural' or, in the more common emphases, the 'artistic' or the 'spiritual'. Yet we do not have to unreasonably assimilate cultural practice to this area of the satisfaction of basic human needs to realise that, whatever purposes cultural practice may serve, its means of production are unarguably material. (Williams, 1995, p.87)

This passage more explicitly answers Markus' warning of the potential tautology in 'cultural production'. For Williams, the production paradigm only becomes relevant as 'non-human means' progressively become involved as means of cultural production.

There is also a normative principle at work here for Williams: equality of access to the means of cultural composition (and reception). The progressive growth in productivity in the means of cultural production carries with it an increased 'social distance' ie. a specialisation in cultural techniques which contributes to a social division in the distribution of 'material' cultural skills.

But the ideal dimension of art is by no means completely removed by Williams' insistence on recognising its material human means and objectivated means of production. Ironically, it is in this context that Williams does briefly embrace the category of 'objectification':

Yet painters and sculptors remained manual workers. Musicians remained involved with the material performance and material notation of instruments which were the products of conscious and prolonged manual skills. Dramatists remained involved with the material properties of stages and the physical properties of actors and voices. Writers, in ways which we must examine and distinguish, handled material notations on paper. Necessarily, inside any art, there is this physical and material consciousness. It is only when the working process and its results are seen or interpreted in the degraded forms of *material commodity production* that the significant protest - the denial of materiality by these necessary workers with material - is made and projected into abstracted 'higher' or 'spiritual' forms. The protest is understandable but these 'higher' forms of production, embodying many of the most intense and most significant forms of human experience, are more clearly understood when they are recognised as *specific objectifications*, in relatively durable material organisations, of what are otherwise the least durable though often the most powerful and affective human moments. The inescapable materiality of works of art is then the irreplaceable materialisation of kinds of experience, including experience of the production of objects, which, from our deepest sociality, go beyond not only the production of commodities but also our ordinary experience of objects. (Williams, 1977, p.162, emphases added)

This is clearly a crucial formulation for Williams. It follows a familiar path of avoiding both vulgar materialisms and 'abstracted' idealism in acknowledging these dual dimensions of cultural objects. It also reaches beyond a parallelism of instrumental labour and aesthetic composition. Notation, significantly, here plays an explicitly subordinate and - albeit crucial - 'instrumental' role to objectification. In this formulation the 'higher' forms of production objectify experiences that include the experience of alienated and unalienated labour ('experience of the production of objects'). While it is legitimate for Williams to go on to contest a reductive materialism by insisting that this objectification is a form of 'materialisation', the result is a slippage in terminological use between aesthetic 'objectification' and 'materialisation'.

These tendencies can be usefully reconceptualised here by employing the subcategories of 'materialisation' Markus develops specifically for the sphere of culture. Rather than Williams' 'abstraction' or 'idealism', Markus defines *dematerialisation* as that process of positing the art object *as* an ideal object such that its material dimensions become regarded as 'the transparent, diaphanous vehicle of significations constituting their essential reality' (Markus, 1994b, p.19). Conversely, *rematerialisation* in the arts is the process of establishing 'an intentional blockage of relations of signification, in order to self-referentially foreground the signifier, the material medium of communication itself, and for setting free its "energies of semiosis"' (Markus, 1994b, p.25).

Underpinning both his criticisms of Williams is Markus' view that Williams attempts to 'replace the method and framework of ideology critique with that of cultural production' (Markus, 1995, p.84). Rather, I would suggest, Williams employs the production paradigm in order to specify how best to fulfil the 'promise' revealed by emancipatory ideology critique.[7] This perspective develops surprisingly early within his oeuvre. Long before its formal declaration, Williams' cultural materialism made its first (emergent) appearance within an ideology critique of Matthew Arnold's conception of culture in *Culture and Society* in 1958. This critique in turn forms part of an historical semantic ideology critique of 'the idea of culture'.[8] Williams there regards the identification of the 'material of the process' of culture as precondition of the completion of the promise of Arnold's ideal:

> Culture was a process, but he (Arnold) could not find the material of that process, either, with any confidence, in the society of his own day, or, fully, in a recognition of an order that transcended human society. The result seems to be that, more and more, and against his formal intention, the process becomes an abstraction. Moreover, while appearing to resemble an absolute, it has in fact no absolute ground. ... Arnold ... was caught between two worlds. He had

admitted reason as the critic and destroyer of institutions and so could not rest on the traditional society that nourished Burke. He had admitted reason - 'human thought' - as the maker of institutions, and thus could not see civil society as the working of a divine intention. His way of thinking about institutions was in fact relativist, as indeed a reliance on 'the best that has been thought and written in the world' (and on that alone) must always be. Yet at the last moment he not only holds to this but snatches also towards an absolute; *and both are Culture.* Culture became the final critic of institutions, and the process of replacement and betterment, yet it was also, at root, beyond institutions. This confusion of attachment was to be masked by the emphasis of a word. (Williams, 1990, p.127)

Instead, Williams consistently advocated a programme that fulfilled what Habermas later called 'the incomplete project' of modernity. A radical-democratic programme of cultural education and institutional provision within civil society was detailed initially in *The Long Revolution* (Williams, p.196). But Williams' theoretical articulation of this process, as can be seen in the above, tended to be defined against 'an abstraction'. Williams' project is more accurately characterised as a challenge to Arnold's *dematerialisation* - in Markus' sense- of culture. Likewise Williams' own cultural materialist strategy can be seen as an attempt to mount a theoretical project which learns in part from the modernist aesthetic practice of *rematerialisation* and its comparable legacy within formalist literary scholarship and structuralist theory.

Markus' specific criticisms of Williams can thus be answered at the level of philological clarification and reconstruction of Williams' conceptual vocabulary. But the more fundamental issues so raised are then displaced to a different set of theoretical concerns rather than fully answered (c.f. Jones, forthcoming). In order to address these it is would necessary to closely examine Williams' late embrace of 'social formalism' within his critical sociology of culture (c.f. Williams, 1986). Such an exercise is beyond the scope of this paper.

Notes

1   Citations from *The Brumaire* are from the Fowkes translation rather than that in the 1962 Lawrence and Wishart *Selected Works* cited by Williams in *Marxism and Literature*.

2   The distinction is nonetheless ideal-typical in that Markus concedes that 'there is no strict dividing line between the two' (1995, p.72).

3   Williams, 1977, p.124, c. f. 1978.

4   Markus notes that Marx uses the term *geistige* which is translatable as either 'ideal' or 'intellectual' (Markus, 1990, p.100).

5   Markus provides the example of a wine glass that ought to be 'properly' used for drinking but can be otherwise used as a paperweight etc.

6   Markus thus rejects those interpretations which would reduce the Marxian production paradigm to 'an instrumentalistic understanding of all human activities with their reduction to labour as goal-rational activity'. Rather, he insists on the three dimensions just recounted: objectivation, the material content/social form distinction and, thirdly, the comprehension of any act of production as a moment within a broader process of reproduction (Markus, 1990, p.98).

7   Williams later compared this ideology critique with that in Marcuse's 'Affirmative Character of Culture' essay (Williams, 1969 c.f. Jones, 1999).

8   Williams here refers to his contrast of Arnold with J.H. Newman.

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6   Beyond Philosophy and Culture

JOHN BURNHEIM

The real discovery is the one that makes me capable of stopping doing philosophy when I want to. Wittgenstein, *Philosophical Investigations*, 133.

Philosophy has aspired to present a valid and unified view of what there is that to some significant degree provides an orientation to the life of all individuals and groups. At the same time it is more or less clearly assumed that under the manifold practices of any social group there is a set of beliefs that can be articulated and judged by philosophy. The most desirable state of affairs would be one where those beliefs were all correct and collectively adequate to the situation of the group. They should present a basis for further progress in theory and practice, promoting self-understanding and self-fulfilment, in all worthwhile human pursuits. The ideal of a philosophical community was the rightful successor of and superior to universalistic religions.

Even when it became clear that there was little hope of progress towards this ideal because of the continual self-subversion of philosophy, it has retained its normative force in a dangerously negative form. Like the Weberian 'disenchantment' following the marginalisation of religion this failure is represented as leaving a vacuum at the heart of social life. Individuals and social groups that are interested primarily in activities of limited significance and in interpersonal relations are regarded as having at best a very low-grade culture, or even as a threat to the achievement of greater things. The colossal arrogance of European cultural elites was a significant factor, in contradictory ways, in the legitimation of the totalitarian regimes of the twentieth century. Proclaiming both the need for a concretely realisable 'greater vision' and their own inability to provide it they left it to the thugs to appropriate the role of saviours and transformers of a culture that alone could provide the framework of a life worthy of noble spirits.

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Even today, we have not shaken off the nostalgia for 'higher things', especially in the form of an adulation of critical activity. The idea that to fail to submit one's beliefs to critical scrutiny is reprehensible often privileges reductionist and sceptical positions simply because of their critical credentials, casting doubt so pervasively as to paralyse judgement or provoke extreme anti-intellectual reactions. The idea that a validly grounded common culture is a desirable thing marginalises many activities that are represented as lacking universal significance. The fact that hardly any of our beliefs can withstand these attacks leads to the use of social pressure and even 'legitimate force' to buttress and inculcate those beliefs, values and institutions that are seen as the indispensable ground of collective and individual worth. The belief that to be free of unwarranted beliefs is the ultimate liberation clashes head-on with the demand that individually and collectively we ground our lives in truth.

In the time since Wittgenstein wrestled with these problems, cultural critiques erupting from the volcanoes Marx and Nietzsche have complicated the situation. Where he saw the grip of unwarranted demands on our minds as a sort of disease calling for treatment of the individuals afflicted by it, later critics have seen it as a matter of power, of politics in its broadest sense. At the same time, however, we have become more sensitive to the charge that our critiques are not innocent. Inevitably they involve imposing our demands upon others. As we become more reconciled to our inability to justify any special privilege for our own bases of criticism, we tend to adopt less rigorous, though sometimes more illuminating, forms of critique. Power ceases to be a dirty word, but the consequences of attempting to substitute one regime of power for another appear all the more obscure and dangerous. Philosophical insecurity and dissatisfaction lead to paralysis.

Nobody has been more diligent in subjecting the pretentions of philosophies and of theories of culture to critical scrutiny than György Markus. In regard to philosophies he has been particularly concerned to reject traditional requirements of systematicity, showing how those requirements are inherently dangerous to both theory and practice. Instead he harks back to a modest version of the Enlightenment position as an historically situated *narrative* rather than a transcendental and systematic elucidation of the role and value of critical and liberal thinking in human life. However, I would like to suggest that he still attaches too much importance to the problematic of the 'vacuum' created by the undermining of the alleged foundations of 'modernity', and that it may be more fruitful to abandon the demand for a *basic* orientation, even an historically limited one. In a sense, we must abandon philosophy.

Having wrestled with the embrace of Marxism, Markus is as aware as anyone that totalising narratives are every bit as dangerous as their

systematic competitors. In such narratives the static dichotomies of eternal categories are replaced by the dramatic dichotomies of opposing forces and agencies. Static hierarchy is replaced by a dramatic structure in the form of the comedy of progress or the tragedy of loss of original wholeness. But the dialectics of exclusion, subordination and authorisation produce similarly disastrous results in both modes of articulation. In rejecting grand narrative Markus is attracted neither to the nihilistic dogmatism of Nietzsche's Eternal Return or to the extreme anti-dogmatism of his 'genealogies'. He is certainly not satisfied to hide behind the detachment of the mere cultural commentator or mere speculator about the future. How, then can one respond to his concerns?

Commitment

In substance philosophy is a question of attitude, of practical judgement about what is worth trying, and of aspiration, what sorts of hopes we may cherish. Clearly, reflection on such matters is important, both to individuals and to social groups. However, it cannot consist in seeing everything in the light of some unitary orientation. If there is such a thing as a wisdom that is worth pursuing and loving in our situation, it lies rather in the sort of broadness and sensitivity of vision that highlights those relevant considerations that we are most likely to ignore. These, of course, are many and varied, different for different contexts. Privileging singleness of vision and purpose can only obscure that crucial fact.

It is, of course, normally salutary for some individuals and some groups to adopt a very narrow focus. Specialisation pays off in cultural and political matters just as much as in technical and economic contexts, always provided that the networks through which the fruits of that specialisation can be made available to others remain open. It is exclusiveness and monopoly that is the problem in every kind of commerce. In a world of complex, uncertain competing interests, compromise, reasonableness rather than Reason, is usually the most fruitful approach to conflict. This is not a matter of suppressing conflict or fudging agreement, much less of abandoning all principled positions, but of recognising the dangers inherent in attempting to impose our principles on others by exercising certain types of power.

It is scarcely possible for anybody in the modern world to be unaware that there are many ways of conceptualising most things, and that there is no rational procedure that can produce the 'right' solution to most of the consequent conflicts. That does not mean that there are no wrong solutions, nor even that no acceptable solution is better than any other, but only that there is an element of arbitrariness in our coming to adopt one or other of a

range of admissible possibilities. The great practical problem that arises out of this theoretical situation is that of setting up and getting support for decision processes that are as free as possible from systematic bias in favour of unavowed or inadmissible interests. Both the dogmatism of apparently irrational fundamentalists and the prevailing cynicism about the public forum feed on the insecurity and fear that awareness of this predicament can so easily evoke. People naturally look for simple, easily representable solutions, and both religion and philosophy inculcate in individuals or groups a need for 'basic certainties'.

One great difficulty in articulating an acceptable response to the impossibility of the required 'basic certainties' is that to many the only alternative to fundamentalisms often seems to be a complacent relativism. In the absence of strongly held beliefs, it is alleged, we are reduced to drifting with the current, powerless to respond effectively to the problems that face us. The reasonable demands that we not attempt the impossible, or that we recognise that the best intentions often have disastrous consequences easily become excuses for failing to explore uncharted possibilities or even remedy clearly identified wrongs. Aware of the arbitrariness of sharp lines, we fail to draw a line, never commit ourselves to taking a definite stand.

Existentialisms of various kinds attempted to remedy the sloppiness of relativism by privileging commitment itself. But commitment without regard to the significance and consequences of our commitment is absurd as well as dangerous. In practice the most prominent existentialists tended to preach commitment to grandiose political movements in ways that are now completely discredited. Sheer will cannot supply the grounding that claims to ultimate truth once pretended to deliver. So existentialism slides back into pragmatism.

Systematic pragmatism, however, is as unsatisfactory as any other philosophical system. To attempt to install some pragmatist theory of truth in place of the correspondence theory is extremely dangerous. In a vast range of cases establishing truth is, in a host of familiar, everyday ways, just a matter of the appropriate kind of correspondence to fact. Of course such facts are theory-laden but it is wrong to suggest that some pragmatic test can override the appropriate factual evidence in most cases. It remains true that the sun rose about six a.m. this morning, even though the form of description is misleading. In a vast range of other cases a pragmatic test is what is appropriate, especially where claims are assessable only on a more holistic scale than that of particular matters of fact. There is no systematic way of characterising the two domains, much less of assigning sentences *a priori* to one or other of them. Much of the time, it is a matter not of logical type or of content but of context. The two kinds of assessment

interpenetrate each other so intricately that neither can claim ultimate priority even in many concrete cases, let alone transcendentally.

What I would urge is that the deficiencies of systematic theories in such matters should lead us to question radically the demand for general guidance that fuels the search for universalistic answers to such impossibly vague questions as: What is truth? If philosophy is in some sense a search for wisdom, it must come to accept that it has been looking for wisdom in a direction that leads mostly to folly. Wisdom consists not in rigidly universal rules of assessment, but in the ability to appreciate and articulate the great variety of considerations that are relevant to each question. In practice it is probably not a very important achievement. It is needed mainly in a cautionary role, for it is mostly unproductive and boring. The great creative break-throughs belong not to the wise but to the acute.

It seems that the exact sciences, and even most imprecise disciplines, make progress primarily by finding very precise questions that admit of clear answers which turn out to be relevant to much broader concerns, mainly by opening up new and fruitful kinds of questions. Newton offered an answer to the problem of the stability of the planetary orbits that opened up new ways of thinking about the ways in which bodies may interact without surface contact. Darwin in offering an explanation of speciation opened up the possibility of exploring the processes through which functional design may arise from random interactions. Sometimes even rather silly questions may help, as the history of philosophy occasionally shows. Wisdom has not had much to do with progress in any sphere. Indeed its standard role has always been to belittle progress of all sorts. That is something that often needs to be done, since progress is often costly and in some respects illusory. What must be resisted is the suggestion that if only we were wise enough we could control the rate and direction of change to eliminate the conflict and damage it produces.

Sometimes we can control change without doing more harm than good, especially in particular contexts and on a scale where we can foresee most of the major consequences. But there are always risks, and no actuarial statistics that could help us quantify those risks in most creative enterprises. We have only cautionary tales, often as contradictory as the proverbs that pass for popular wisdom. It is not surprising that we feel a need for orientation. Quite apart from our emotional need for assurance, the practical problems of coping with our ignorance lead us to grasp at every promise of help in making decisions.

Consistency

Just how insistent and how well grounded is the demand for orientation that Markus is addressing? How are we to assess it? What would be lost if we ceased to take it seriously and simply let it die out, like belief in magic? To a large extent, I shall argue, we already know the answers to these questions, and they are pretty unexciting, even deflating. Indeed, that is the problem. We are reluctant to admit that the Western philosophical tradition in which we have gloried has led us into pointless quests.

The first prejudice to be dismissed is that we need consistency among our beliefs, where consistency is taken to mean something more than avoidance of outright contradiction. The fact is that in almost all our evaluations, practical or theoretical, we employ a variety of incommensurable considerations, at least in the sense that there is no common measure that is applicable to them all with equal confidence. That is not to say that there may not be weightings that we can sensibly attach to each of them for the sake of clarifying issues.

Take a concrete analogy. While it is clearly appropriate to measure the impact of airport location on transport costs in monetary terms and extrapolate those costs according to a variety of assumptions about traffic volumes, one cannot reduce the differences in the impact of noise levels on residents to an analogous scale. Nevertheless, one can incorporate some reflections of those impacts through consideration of their effects on real estate prices, costs of noise insulation, costs of moving, health costs and so on. While such cost-benefit analyses can never deliver a decisive verdict on 'the bottom line', they may provide strong support for such conclusions as that the expected benefits on transport costs decline rapidly beyond a certain level of traffic, while the increase in other costs accelerates at that point. And that argument may prove quite sufficient in practice to rule out certain options as far as nearly everybody is concerned.

Of course, any such cost-benefit analysis still leaves open other considerations political, legal, moral, aesthetic and ecological which are relevant to the decision, even less amenable to such treatment, and even more disputatious. A decision must inevitably be made. In such situations delaying decision is itself a decision that affects future options. There is no process or procedure that can be guaranteed to produce the right decision. But there may well be a large class of proposals that would be demonstrably wrong to adopt, because based on wrong data or fallacious argument or neglect of importantly relevant moral or ecological considerations. What we must settle for in practice are decision procedures that offer reasonable protection against the danger of very wrong decisions.

In different conjunctures various kinds of dangers will be emphasised, sometimes because they are a fairly pervasive preoccupation in the

community at the time, sometimes because of the specific issues in a context. We look for orientation, but it is extremely dangerous to look to philosophy for it, since such orientation as philosophies provide necessarily avoids the specifics of the context, puts the emphasis on a single kind of consideration to the detriment of all others and stands in the way of an approach to the problem that is open to innovation. As Wittgenstein emphasised, we are too easily seduced by over-simplified and too abstract models. It is not only the vulgar that seek simplicity. It is at the heart of the requirement that we look for theory, and theory in the kind of matters with which philosophy is concerned is inappropriate.

Consider fairness. In some situations championship races are appropriate, in others only handicap races are fair. In distributing some scarce goods we choose a procedure of assessing need, in other cases first come first served, in others merit or desert, in others potential to benefit, in others willingness to pay, in others traditional entitlements, and so on. We may do so by bringing together a host of good but never conclusive reasons, ranging from mere custom or mere administrative convenience to sophisticated analyses of social relations. Any 'orientation' that would privilege one such procedure *a priori* is at best useless and usually dangerous. As non philosophers usually realise, philosophical theories in these matters vacillate interminably between vacuity and Procrustean arbitrariness, propelled only by the self-imposed requirement that there must be a single ultimate answer.

It is true, of course, that a contextual consideration of what constitutes an acceptable decision procedure is always in danger of becoming confined to relatively local and short-term considerations. We may need to be reminded that it is not just the cost-effectiveness of a decision procedure that matters, but of the protection it gives to certain rights which may appear to have little relevance to the issues as most of those involved see them. Contentious matters often need to be referred to adjudication by procedures that are relatively free from the immediate concerns that dominate those most directly involved in the situation. Simple majority rule in any group is not automatically a proper procedure.

However, just as it is a mistake to think that all critique and justification in theory is based on appeal that is ultimately grounded in some closed set of first principles, so too it is wrong to think that the only way in which the particularism of local concerns can be transcended or corrected is by appeal to higher, more universalistic authority. Nowadays many conflicts are resolved not through the legal system but through arbitration by agreed consultants. What is often more relevant than some relatively abstract and slippery legal norm or technical legal process is the examination of appropriate analogies with what is considered good practice in similar

situations elsewhere or of suggestions for a resolution that are very specific to the issues in question.

Rational Order

More generally, I want to suggest, though it is not the sort of thing one can 'prove', that there is indeed a strong link between the traditional aspiration for a philosophically grounded orientation in matters of public choice and the assumption that all legitimate decision-making authority in matters of common interest is vested in or at least subject to an idealised community. Ideally our well-grounded philosophical view of what is right should find its expression in a legal system, concretised in the sovereignty of the state. Both the great systematisations of practical reason, the deontological and the utilitarian, rested their claims to validity on certain conceptions of universality, impartiality and inclusiveness. They were constructed to eliminate arbitrariness and particularism by counterposing the Truth of Reason to superstitious belief in Tradition or 'Natural Order'.

The great historicist narratives likewise privileged their own claims by their supposed convergence towards the goal of universal harmonisation. At the same time the power of the state was validated legally and politically by being incorporated in legal and administrative rules and procedures that claim impartiality and inclusiveness in regard to particular interests and effectiveness in realising a more or less mythical public good or general will that somehow transcends the particular.

It seems obvious that the rational and the concrete will never coincide in this account until there is a single world state in which the abstract self-validation of rationality is given concrete expression. Attempts to evade this conclusion, whether inspired by cultural chauvinism or horror at the prospect of such remote, regimenting and unaccountable structures, inevitably appear to be special pleading. Ultimately, to posit consistency, universality and impartiality as the criteria of rational legitimacy is to entrench concretely centralisation, inflexibility and insensitivity.

The only way of avoiding such unilateral systematisation is to drop the demands for totality, abstract systematicity and universality associated with this 'classical' conception of reason, not in favour of some indiscriminate attitude of 'anything goes', but in the interests of attempts to bring together in each context, on each issue, all the considerations that seem relevant to those affected, no matter how incommensurable, attempting to find ways of agreeing about their relevance in practice. Abstract reason must give way to concrete reasonableness, not because it can claim any exclusive moral or methodological privilege, but simply because the practical alternatives are too arbitrary and too destructive.

The fruitfulness and appropriateness of genuine theory wherever it is attainable is not in question. But theory is necessarily, in pretty well every meaning of the term, abstract, and applicable without qualification only under very peculiar condition. Nor am I attempting to delimit some *mystical* philosophical zone that is forever closed to strict theory. We are talking about a residual 'rag-bag' that may turn out to be full of surprises, a complex ecosystem in which attempts to subject it wholly to mechanised agriculture can only be disastrous, even in terms of the objectives it aspires to promote.

Problems and Solutions

There are hopeful signs that people may be turning away from the 'classical' pattern both in theory and in practice. On the one hand it is becoming increasingly clear that responsible reflection on both theoretical and practical matters involves readiness to use an open variety of models, methods and concepts whose claims to our attention rest on neither historical nor systematic privilege, but on their contribution to shedding light on specific problems. Of course, problems always arise within a tradition, and understanding a problem involves understanding its context. But solving a problem often involves breaking with some of the constraints tradition places on what counts as a solution to the problem. Often the solution that is ultimately accepted comes to be seen as acceptable only because in the light of that solution the problem itself has been redefined. It is often not a preconceived orientation that is to be valued, but, on the contrary, the ability to look in a new direction.

If there is a role for something that might be called philosophy here in suggesting fairly general orientations, it might lie in drawing attention to unexplored possibilities and highlighting how they might prove relevant to some fairly pervasive problems or in attempting to construct links between what present themselves as distinct problems or positions. Instead of trying to privilege one way of looking at things such philosophising might see itself as commissioned to remind people that the same thing may fruitfully be looked at in quite different and even apparently contradictory ways. Even our best logical theories are beset by internal contradictions, but there remain very good reasons for continuing to explore and apply them. What can no longer be sustained are earlier claims to self-validation or exclusive privilege. Finding that there is no unique system of logic has been a source of great progress in the field, making for a new adventurousness.

In fact the principal way in which philosophies are seen as interesting by non-philosophers nowadays is, in Whitehead's phrase, as 'adventures in ideas', just as many unbelievers find religions interesting precisely in their

diversity and suggestiveness. What most of us need most of the time is not an orientation, not some single direction that we can rely on to put us on the path to where we should be going, but suggestions for enriching our understanding and our hopes in relation to the various activities and problems in which we are entangled.

It is true that this situation is often diagnosed as the lack of 'purpose' in our lives. For some people some of the time such a description will be appropriate. But any generalised normative requirement that life be lived as a struggle towards a goal is as fallacious as it is dangerous. In the struggle to attain most of the things that could be said to be goals, most inevitably fail and many fail miserably. Persistent failure is tolerable precisely to the extent that success or failure in attaining definite goals is not the only point of one's life. The substance of life consists of everyday things done well, of friendships and family, of shared responses and ideas, of bodily pleasures, of delightful surprises and of pains and losses bravely born. It is a matter of a host of specific activities and contexts that have no overriding purpose or direction and are not in need of one, any more than they are or ought to be some seamless expression of a unitary self, a singular work of art.

The great fault of reductionism, in the broadest sense in which virtually all philosophies have been reductionist and foundationalist, is that it looks in precisely the wrong direction, seeing as 'really real' only what is primordial or eternal or what survives some privileged form of critique. For some it is the eternal idea, for others contingent sense data, for others physical reality, and so on. But the significance of what there is lies not in what it is reducible to or 'grounded' in, but in what we can make of it. And in this forward-looking, constructive perspective there is not and cannot and ought not be any privileged orientation. The interest, the challenge, the wonder of human life (as of the universe itself) lies in its variety of form and endless innovation. Just as the dynamic chaos of the subatomic gives rise to 'inert' crystalline matter, which in turn gives rise to a new type of dynamism in living organisms and evolution produces ordered ecosystems out of random change, each new level negating the salient tropes of its base, so human beings in various ways construct ways of living that transcend their origins and negate pre-established criteria of understanding and evaluation.

The perennial attempts to deduce the limits of what is possible and desirable from abstract generalities about our origins fail not just because they are not logically cogent (one can't get to 'ought' from 'is', nothing is *merely* what it is taken abstractly, in isolation from context) but because they fail to suggest solutions to our problems or even keep us obsessed with certain problems when we should simply bypass these problems and concentrate on others that look more promising. In the case of many

philosophical problems, as most philosophers now recognise in practice, the problem arises partly because of privileged requirements that we ask certain questions and partly because we impose impossible demands on what will count as an answer. The trouble, of course, is that it is not satisfactory simply to say that in general terms, shrug our shoulders and give up.

Part of our feeling committed to philosophy is bound up with the hope that reason might offer an innocuous form of coercion to replace violence as the guarantee of social order. Truth should command free assent from everybody. This feeling in turn is bound up with the thought that identifying what we all have in common, constructing at least in some measure and in certain crucial respects a shared identity, is a necessary condition of a socio-political framework that will be seen as a common good rather than as at best a necessary evil. We ignore the fact that most truths are trivial. It is relevance that matters, and this is never just a matter of truth. Again community is mostly a matter of exchanges, which are fruitful precisely because of our differences. One gives what the other does not have.

There is an enormous literature that poses the questions, endlessly re-contextualised, WHERE are we going? what are WE going to do about it? as if there was some collective entity, some concretely embodied 'WE' that could debate and decide such questions. We cannot reconcile ourselves to the fact that WE have neither a pre-ordained destiny nor the ability to design our destiny, much less to organise ourselves to achieve it. There are, of course, many problems that can be solved only by collective decision and action, and there are important tasks to be faced in constructing forms of agency and practical procedures that are adequate to identify and deal with them. It seems clear that to a very large extent such agencies will be accepted as exercising an appropriate kind of authority to the extent that their structures and procedures are seen as responsive to relevant and soundly based considerations in a specific conjuncture. Even 'sovereign' governments nowadays must present themselves not as authorised in advance to do whatever they think fit or even to implement an announced programme, but as responsive to an ongoing public debate, sensitive to the interests and wishes of all stakeholders, prepared to learn and reconsider.

In complex modern societies a host of bodies on every level from the most local to the global exercise considerable authority in specific matters without any legal charter to do so. Sporting, professional, charitable, technical and standard-setting organisations are the most obvious examples. In the age of the internet the possibilities of multiplying such sources of social decision and action are opening up at an accelerating rate. I have argued in *Is Democracy Possible?* that this opportunity could be given sound organisational expression if it were to become common

practice to put such activities in the hands of committees chosen not by voting but by statistical procedures designed to produce in each case a body appropriately representative of the main interests affected by its decisions. It might be possible to whittle away the claims of the nation-state to the point that it became as redundant as traditional monarchies.

Whatever about such suggestions, it is clear that the ideal of democratic centralism, not just in the Leninist conception, but in virtually any form, has been discredited as surely as the ideal of a unified science as a single body of theory resting on a uniform method and a single set of axioms. That is not to say that there cannot or ought not to be wide-ranging revolutions in theoretical or practical matters, but that they will come about not from the top downwards, but through widespread changes in the relative weightings given to different considerations by people working in particular areas where those considerations seem relevant and involve changes in procedures that reflect changes in specific perspectives and objectives.

If one wants to call the thinking involved in such wide-ranging changes 'philosophical', there is ample warrant for doing so, provided the term is shorn of its foundational and prescriptive connotations. Again, there is a place for valuing highly and identifying closely with certain collective achievements and aspirations, provided one remembers that most such achievements are in no way constituted by some prior insight, however great the insights they generate. A great literature or musical repertoire, a sporting tradition, a polite society, a robust public morality, even a sound economy, are not the product of any overarching consciousness or decision, but of interactions, exchanges, negotiations and evaluations by a host of different individuals. Philosophical orientations have no more to do with producing or validating the substance of such achievements than do legislation or bureaucracy. The substance of the norms, ideals, tropes, images, interests and perspectives that various people contribute to a tradition constitute an enormous pool of material from which common projects emerge in specific forms in particular contexts. As long as there is genuine dialogue, people can find hope that at least provisional accords may be built from whatever bits and pieces they may come to share.

The Importance of Disorder

Let me approach the point from a different direction. Evolutionary theory has opened up the possibility of seeing how highly integrated organisms and ecosystems can arise out of countless chance mutations and interactions. Even if it turned out that there are components of human beings that have not come about in this way, for example, that a soul were

infused into every human being at the moment of conception by direct divine intervention, most of what we know about humans, including their thinking powers would still be explicable in biological terms. It is clear that the brain is the hardware on which thinking depends, wherever the software comes from. Most people who have thought seriously about the matter these days, especially since the startling developments in computers, have concluded that, contrary to certain entrenched habits of thought, systems of software do not have to have any ontological or other unitary underpinning distinct from the hardware in which they are embedded, even though they have properties of the utmost importance to us that are not intelligible in the terms in which the properties of the bare hardware are accounted for.

The point I want to emphasise is that the metaphysical questions that seemed not so long ago to be of crucial importance to our view of ourselves have largely faded into the background or vanished from sight. Not many people now think that to deny that we have specially created souls is to say that since we are no more than chance assemblages of particles of matter we are of no more value or significance than the dust to which our bodies will return. It is not what we are made of that matters but we can become in those ever-expanding universes of meanings that we have come to create and embody. No doubt our physical constitution places limits on what meanings we can effectively incorporate into ourselves and work with, but the possibilities have turned out to be much less limited than we could have expected, just as the technological possibilities of electronics have exceeded the wildest dreams of even a couple of generations ago.

Nevertheless a nagging doubt remains. Both philosophers and lay people have traditionally thought that to reject the physical existence of magical powers was to show that magical ceremonies are pointless. To reject the metaphysical reality of god was to show that religion is equally illusory. And, of course to indulge in practices that rest on such illusions was, for the Enlightenment tradition, morally reprehensible and deleterious in its social consequences.

If I am right, most people, even most philosophers, no longer think so. Roughly speaking, the viability of a set of practices is seen not as a matter of the independent validation or invalidation of its postulates, but rather of a more holistic assessment of those practices. Many of the slogans associated with this approach seem to advocate complete subjectivism or scepticism, opposing all approaches to critical assessment with an unqualified and indiscriminate refusal to admit that any argument amounts to more than an attempt at an unwarranted exercise of power. And indeed knowledge is power. In almost all areas of human thought and action there are crucial practical consequences of the difference between something

being the case and somebody's merely thinking that it is the case. Those who know how to discover and exploit those differences have power over those who do not. But, precisely for this reason, crude subjectivism is not a serious practical position. To act on it is to deliver oneself into the hands of the very power one sought to escape. To believe only what one wants to believe is to make oneself the plaything of those who know how to play on one's desires.

There is no general position that will enable one to undercut all and only those powers one wants to delegitimise. The point of various assessments and the criteria they generate will be very different in the context of different kinds of practices. These differences are obvious in political, economic, sporting and many other activities. In particular the demands of 'realism' have themselves been relativised to a significant degree. Even in the sciences various postulated entities are given a role in various contexts even though there may be general grounds for scepticism about their independent existence.

So, for example, at a certain stage, a couple of generations ago, the neutrino was a merely hypothetical entity and so were genes. Both were postulated on purely theoretical grounds. But their status was very different in a paradoxical way. The gene was just a 'place-holder' for something or other that mediated genetic inheritance. The neutrino, by contrast was a precisely characterised particle. In terms of many a theory of scientific method the neutrino was very respectable but the gene was not. (Other philosophies in the same epoch insisted that both were just fictions.) What such critiques missed, of course, is that the concept of genes was central to genetics, whereas the neutrino was postulated to account for a very particular problem in particle theory. Physicists would have abandoned the neutrino without a single qualm if they had been offered an alternative, but geneticists could not have abandoned the gene without rethinking their whole enterprise. Quite different forms of evaluation were appropriate in the two cases.

There is, no doubt, a danger that too sweeping a rejection of considerations of objectivity and reality may and often does lead to a frivolous relativism or 'aestheticisation' of knowledge, and that these attitudes may have quite disastrous consequences. But the ways to guard against these absurdities is not to oppose them with 'realist' slogans. My point, following Wittgenstein, is that the way to avoid these dangers is to abandon the hopelessly slippery ground of philosophical generality and get back to concrete practice, throw off the demand for universalistic prescriptions and welcome the variety of things. Scientists do not need their philosophical mentors to tell them that they cannot claim scientific value for a theory simply on the basis of its aesthetic appeal. Even most politicians, when they focus on concrete problems know that in the long

run the difference between delivering certain results and merely pretending to do so cannot be fudged. Unfortunately, politics, like philosophy, labours under delusions of grandeur and grandeur can be fudged much more easily than more circumscribed kinds of success.

Looking Forward

Philosophy feeds on only a very limited range of stereotyped considerations. So does any discipline. Philosophy is distinguished by the fact that it has consistently failed to give an acceptable account of what those considerations are and why they should have any special status or even to produce results that might justify them pragmatically. Of course, other disciplines go through periodic revolutions and generate irreconcilably opposed schools of thought, but they can be excused their inconclusiveness in the light of their characteristic tasks. No acknowledged historian claims that her account of some event is exhaustively correct. The data are in some respects so abundant and in others so deficient, our means of reconstructing the context so speculative, that it would be absurd to expect anything like adequacy or finality. And so on for other disciplines according to their differences.

But the failure of philosophy to live up to its pretensions is not mainly a matter of the immodesty of those pretensions. The more important point is that philosophy has always looked backwards to find the basis of its doctrines either in eternal truths or in some originating intention or in pointers from the past. That may have been a reasonable procedure as long as it seemed that the order in the world could only arise from some unitary prior plan, embodying a normative intention. In an open-ended perspective we can abandon that constraint and see the point of our thinking in its fruitfulness in appreciating and understanding our expanding universe of meanings.

Of course, one does not *have* to adopt the attitude I am suggesting. One can continue the search for the Absolute or for some watered down substitute. But such a search can hardly avoid the danger of 'aestheticisation' and of consequent subversion from within. It is possible to profess a sort of religious commitment devoid of any ontological commitment except perhaps to a nebulous 'ultimate whatever', but it is hardly possible to be religious in the traditional sense, as Kierkegaard emphasised, unless one sees oneself as responding to an unconditional demand that transcends and precedes any commitment of ours. Once a religion becomes a matter of our attempts to express certain feelings or beliefs it becomes something we can evaluate in much the same kinds of ways that we evaluate other activities and practices. Similarly, once

philosophy is divorced from claims to the sort of truth that demands assent, whether it is worth pursuing becomes a matter to be evaluated according to its actual effects as a practice.

Liberal polities 'solved' the problem of conflicting religious beliefs and institutions by 'privatising' them in a way that inevitably changed not just their civic status but their sense. Following the demise of Reason as a self-grounding deliverer of understanding and normative orientation, there has been an analogous change in the status and content of philosophies. A first response was to take a radically critical stance, philosophy as debunking, that looked promising as long as debunking was equated with liberation and liberation with progress. As this approach came to be seen as arbitrarily negative, other ways of limiting the scope of philosophy to more modest and sustainable pretensions, phenomenology, linguistic analysis, methodology, applied logic and hermeneutics were tried. No doubt there were some sustainable results from these efforts, but they did not succeed in defining a new role for philosophy. They could no longer claim any privileged or central role in the culture.

Communities

The point of rehearsing these banalities is to link them up with somewhat more contentious views I want to air about culture. The popularity of the notion of a unitary culture in the anthropological sense is the social analogue of the concept of individual autonomy. Something like the same rights are claimed for both. In neither case is the set of claims generated by an unqualified conception of autonomy sustainable. Those claims need to be disaggregated and put into context with other relevant considerations, if they are not to collapse into a heap of contradictions. Individuals or cultural groups may succeed to some degree in isolating themselves from others and rejecting without examination any judgements others may pass on their affairs. They would be ill advised to try to do so, almost certainly leaving themselves in the grip of oppressors they had not suspected.

In fact the complex of social structures, practices, beliefs, fears, hopes and histories that make up a cultural entity are, even in the most rigidly traditionalist groups, a lot more heterogeneous, conflictual and mutable than either the members of the group or most forms of social theory would suggest. In most games the development of patterns of participation and play is constantly putting the rules under pressure. Either the rules are changed or the point of the game and its relations to other activities and social requirements change. The same applies to social practices more generally. From the point of view of any orientative conception such changes almost inevitably appear as a degeneration, a derogation from

proper standards, a departure from the proper path, a defeat, a loss. And to some extent that is usually true. Even changes that constitute progress in some respects almost always involve failures in others. There is no single scale on which the good and the bad can be measured and weighed against each other in such matters.

The relative weights to be attached to conflicting considerations or values in such circumstances can be decided only by negotiation, and exchange or, failing compromise, by arbitrary procedures, tossing a coin or fighting. In any case, weighting 'values' *a priori* is usually unhelpful. One may value justice above effectiveness in general, but in a particular context considerations of effectiveness may appear much the stronger of the two, say because of the urgency of the case. Similarly, there is a soundly based presumption against judging events in another culture according to standards that belong to our own. Nevertheless there may be many cases where the analogies between the two are so strong that judgement is possible with considerable confidence. There may be many cases in which we cannot avoid such issues. We can only try to negotiate mutual understanding, though without any assurance of success.

In any negotiation the likelihood of success is intimately dependent on the various elements of the packages held by each side being detachable from each other so that limited exchanges are possible. So, for example, the viability of multicultural polities is precarious whenever it depends on recognition of supreme norms that allegedly transcend the cultures concerned. It is much more likely to flourish on the basis of limited and practical agreements about procedures for resolving salient differences. It is to be hoped that out of such limited understandings a broader understanding may emerge, though perhaps at the cost of a certain homogenisation that undercuts the point of the enterprise. Similarly, generalised market exchange involving many producers and consumers should in principle increase the variety of goods and services available to all, but in practice it often leads to standardisation, as well as the loss of some public goods that cannot be produced for the market.

I would not suggest that the demise of philosophy would involve no losses. Magic made life more interesting, religion gave it cosmic and even eternal significance, but ultimately they had to go, or at least lose their traditional social roles, because they failed miserably to live up to their own pretensions and because other ways of looking at things made them seem redundant. It is now, I think, possible to see these great changes in context, as part liberation, part disillusionment, but above all as a change in the requirements we impose on ourselves in theory and practice. Our aspirations have changed because our sense of what is possible and meaningful has changed in the light of our experience of life. The transition from privileging unity to embracing variety is not yet completed,

especially in its constructive aspects. Even less is its positive side fully appreciated. I have suggested that philosophy is still something of an obstacle to that appreciation. But in such matters most of us are nearly always wrong, and I have no reason to think that I am at all likely to be an exception.

7 Integrating Redistribution and Recognition: On Class and Status in Contemporary Society

NANCY FRASER

Introduction

Although I never studied with György Markus, I have long considered him a kindred spirit. What has most inspired me is his effort to develop a theoretical paradigm that takes culture seriously. Whether opposing Marxian economism or criticising the dualistic system theory of Jürgen Habermas, Markus has sought to do justice to the cultural moment of social relations - not simply by adding in culture as one 'variable' among others, but rather by conceptualising its constitutive force *vis-à-vis all* human social practice. For him, moreover, the point was never to vindicate idealism. Far from wishing to obscure the 'hard facts' of exploitation, domination, and inequality, Markus has sought to uncover the mechanisms that support them. In this respect, it would not be inaccurate to characterise his thinking as a non-culturalist philosophy of culture.[1]

Today, the project of developing a non-culturalist philosophy of culture is as relevant as ever. To be sure, Marxian economism is no longer a force to be reckoned with; but in rational-choice theory it has found an equally reductive and more puissant successor. Not content merely to colonise the social sciences, that theory is currently supplying the intellectual underpinnings for neoliberal economic globalisation. Thus, it urgently merits demystification. Meanwhile, cultural theory, far from moribund, is enjoying a remarkable renaissance. Thanks in part to the spectacular rise of global media and information technology, models of culture proliferate, accruing unparalleled prestige in the academy. Yet they do not provide a viable alternative. Typically one-dimensional and inclining to idealism, the cultural theories that are fashionable today are less disposed to integrate

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the symbolic with the economic than to substitute the former for the latter. The result is a bifurcated intellectual map on which culturalist paradigms and economistic paradigms confront one another abstractly, across an abyss. Integrative efforts, in contrast, are rare. Despite widespread lip-service to the idea that culture and economy need to be thought together in a common framework, serious attempts to devise such a framework are difficult to find.

In this context, Markus' thinking provides a welcome inspiration for my own. I, too, am concerned to overcome the present dissociation of cultural and economic modes of thought. I have diagnosed a version of this dissociation in the current political constellation. Specifically, I have noted that claims for social justice seem increasingly to divide into two types: redistributive claims, which seek a more just distribution of resources and wealth, and recognition claims, which seek a more difference-friendly world (Fraser, 1995; 1997a; 2000; 2001a). Examples of the first type include claims for redistribution from the North to the South, from the rich to the poor, and (not so long ago) from the owners to the workers; examples of the second include claims for the recognition of the distinctive perspectives of ethnic, national, religious, and sexual minorities, as well as of gender difference. Moreover, whereas redistribution appears to be a matter of economics, recognition is usually deemed cultural.

To be sure, the two types of claims could - and should - be made to synergise with each other. But at present they tend rather to be separated. Proponents of egalitarian redistribution, on the defensive in the postcommunist neoliberal hegemony, typically keep their distance from 'identity politics', when they do not reject the latter altogether. Conversely, proponents of recognition, feeling the power of the Zeitgeist behind them, hesitate to make common cause with those still engaged in 'class struggle'. The result is a widespread de-coupling of the cultural politics of difference from the social politics of economic equality. In some cases, moreover, the dissociation has become a polarisation. Some proponents of redistribution reject the politics of recognition outright, casting claims for the recognition of difference as 'false consciousness', a hindrance to the pursuit of social justice. Conversely, some proponents of recognition see distributive politics as tied to an outmoded materialism, simultaneously blind to and complicit with many injustices. In such cases, we are effectively presented with an either/or choice: redistribution *or* recognition? class politics *or* identity politics? multiculturalism *or* social democracy?

These, I have argued elsewhere, are false antitheses (Fraser, 1995; 1997a; 2000; 2001a). Justice today requires *both* redistribution *and* recognition. Neither alone is sufficient. As soon as one embraces this thesis, however, the question of how to combine them arises. I contend that the emancipatory aspects of the two paradigms need to be integrated in a

single, comprehensive framework. In moral philosophy, the task is to devise an overarching conception of justice that can accommodate both defensible claims for economic equality and defensible claims for the recognition of difference. In social theory, the task is to understand the complex relations between economy and culture, class and status in contemporary society. In political theory, the task is to envision a set of institutional arrangements that can remedy both maldistribution and misrecognition, while minimising the mutual interferences likely to arise when the two sorts of redress are sought simultaneously. In practical politics, finally, the task is to foster democratic engagement across current divides in order to build a broad-based programmatic orientation that integrates the best of the politics of redistribution with the best of the politics of recognition.

Elsewhere I have discussed the moral-philosophical and political-theoretical dimensions of this project (Fraser, 2001a; 2001b). Here I shall examine some of the social-theoretical dimensions. Inspired by the example of György Markus, I shall propose a non-culturalist approach to 'cultural' politics and an account of its relation to the economy. Such an approach alone, I contend, permits one to integrate redistribution and recognition in a critical theory of contemporary society.

Rethinking Recognition: The Status Model

The centrepiece of my approach is a non-culturalist conception of recognition, which differs sharply from the usual one. Usually, recognition is viewed through the lens of identity. From this perspective, what requires recognition is group-specific cultural identity. Misrecognition consists in the depreciation of such identity by the dominant culture and the consequent damage to group members' sense of self. Redressing this harm requires engaging in a politics of recognition. Such a politics aims to repair internal self-dislocation by contesting the dominant culture's demeaning picture of one's group. Members of misrecognised groups must reject such pictures in favour of new self-representations of their own making. Having refashioned their collective identity, moreover, they must display it publicly in order to gain the respect and esteem of the society-at-large. The result, when successful, is 'recognition', an undistorted relation to oneself. On the identity model, then, the politics of recognition means identity politics.

Without doubt, this identity model contains some genuine insights concerning the psychological effects of racism, sexism, colonisation, and cultural imperialism. Yet, as I have argued elsewhere, it is deficient on at least two major counts (Fraser, 2000). First, it tends to reify group

identities - and thus to promote separatism and repressive communitarianism. Second, the identity model obscures the links between recognition and redistribution - and thus can impede efforts to integrate them.

For these reasons, I have proposed an alternative conception of recognition (Fraser, 2000). On my account - I call it 'the status model'- recognition is a question of *social status*. What requires recognition is not group-specific identity but the status of individual group members as full partners in social interaction. Misrecognition, accordingly, does not mean the depreciation and deformation of group identity. Rather, it means social subordination in the sense of being prevented from participating *as a peer* in social life. To redress the injustice requires a politics of recognition, but this does not mean identity politics. On the status model, rather, it means a politics aimed at overcoming subordination by establishing the misrecognised party as a full member of society, capable of participating on a par with other members.

Let me explain. To apply the status model requires examining institutionalised patterns of cultural value for their effects on the relative *standing* of social actors. If and when such patterns constitute actors as *peers*, capable of participating on a par with one another in social life, then we can speak of *reciprocal recognition* and *status equality*. When, in contrast, institutionalised patterns of cultural value constitute some actors as inferior, excluded, wholly other, or simply invisible, hence as less than full partners in social interaction, then we can speak of *misrecognition* and *status subordination*.

On the status model, therefore, misrecognition is not a psychical deformation but an institutionalised relation of *social subordination*. Thus, it is not relayed through free-standing cultural discourses but through *institutionalised patterns of cultural value*. Misrecognition arises, in other-words, through the workings of social institutions that regulate interaction according to parity-impeding cultural norms. Examples include marriage laws that exclude same-sex partnerships as illegitimate and perverse, social-welfare policies that stigmatise single mothers as sexually irresponsible scroungers, and policing practices such as 'racial profiling' that associate racialised persons with criminality. In each of these cases, interaction is regulated by an institutionalised pattern of cultural value that constitutes some categories of social actors as normative and others as deficient or inferior: straight is normal, gay is perverse; 'male-headed households' are proper, 'female-headed households' are not; 'whites' are law-abiding, 'blacks' are dangerous. In each case, the result is to deny some members of society the status of full partners in interaction, capable of participating on a par with the rest.

On the status model, finally, misrecognition constitutes a serious violation of justice. Wherever and however it occurs, a claim for recognition is in order. But note precisely what this means: aimed not at valorising group identity, but rather at overcoming subordination, claims for recognition seek to establish the subordinated party as a full partner in social life, able to interact with others as a peer. They aim, that is, *to deinstitutionalise patterns of cultural value that impede parity of participation and to replace them with patterns that foster it.*

Elsewhere, I have considered the political and institutional implications of the status model (Fraser, 2001a). Here, in contrast, I shall explore its implications for social theory.

Class and Status: Some Conceptual Clarifications

Let me return, accordingly, to my general project: integrating redistribution and recognition in a single framework. Given that project, the principal task for social theory is to understand the relations between distribution and recognition in contemporary society. In my view, this entails theorising the relations between *the status order* and *the class structure* in late-modern globalising capitalism. An adequate approach must allow for the full complexity of these relations, accounting both for *the differentiation of class from status* and for *the causal interactions between them*, accommodating both the *mutual irreducibility of distribution and recognition* and *their practical entwinement with each other.*

I begin with some conceptual clarifications. The terms class and status, as I use them here, denote socially entrenched orders of subordination. To say that a society has a class structure is to say that it institutionalises economic mechanisms that systematically deny some of its members the means and opportunities they need in order to participate on a par with others in social life. To say, likewise, that a society has a status hierarchy is to say that it institutionalises patterns of cultural value that pervasively deny some members the social standing they need in order to be full, participating partners in social interaction. The existence of either a class structure or a status hierarchy constitutes an obstacle to parity of participation - and thus an injustice.

These understandings differ from some more familiar definitions of status and class. Unlike stratification theory in postwar U.S. sociology, for example, I do not conceive status as a prestige quotient that is ascribable to an individual and compounded of quantitatively measurable factors, including economic indices such as income. In my conception, in contrast, status represents an order of intersubjective subordination derived from institutionalised patterns of cultural value that constitute some members of

society as less than full partners in interaction. Unlike Marxist theory, likewise, I do not conceive class as a relation to the means of production. In my conception, rather, class is an order of economic subordination derived from distributive arrangements that deny some actors the means and resources they need for participatory parity.[2]

According to my conceptions, moreover, status and class do not map neatly onto current ideological distinctions among social movements. Struggles against sexism and racism, for example, do not aim solely at transforming the status order, as gender and 'race' implicate economic structure as well. Nor, likewise, should labour struggles be reduced exclusively to matters of economic class, as they properly concern status hierarchies, too. More generally, as I have argued elsewhere, virtually all axes of subordination partake simultaneously of the status order and the class structure, albeit in different proportions (Fraser, 2001a). Thus, far from corresponding to ideological distinctions, status and class represent analytically distinct orders of subordination, which typically cut across social movements.

What status and class *do* correspond to, however, are two analytically distinct dimensions of justice. Status corresponds to the recognition dimension, which concerns the effects of institutionalised meanings and norms on the relative standing of social actors. Class, in contrast, corresponds to the distributive dimension, which concerns the allocation of economic resources and wealth. Consequently, each category is associated with an analytically distinct type of *in*justice. The paradigmatic status injustice is misrecognition, while the quintessential class injustice is maldistribution - even though each may be accompanied by the other.

These correspondences allow us to situate the problem of integrating redistribution and recognition in a broad social-theoretical frame. From this perspective, societies appear as complex fields that encompass at least two analytically distinct modes of social ordering: an economic mode, in which interaction is regulated by the functional interlacing of strategic imperatives, and a cultural mode, in which interaction is regulated by institutionalised patterns of cultural value. As we shall see, economic ordering is typically institutionalised in markets; cultural ordering may work through a variety of different institutions, including kinship, religion, and law. In all societies economic ordering and cultural ordering are mutually imbricated. The question arises, however, as to how precisely they relate to each other in a given social formation. Is the economic structure institutionally differentiated from the cultural order, or are they effectively fused? Do the class structure and the status hierarchy diverge from one another, or do they coincide? Do maldistribution and misrecognition convert into each other, or are such conversions effectively blocked?

Beyond Economism and Culturalism

The answers to these questions depend on the nature of the society under consideration. Consider, for example, a purely hypothetical case: the ideal-typical pre-state society that was often described in the classical anthropological literature, while bracketing the question of ethnographic accuracy. In such a society, the master idiom of social relations is kinship. Kinship organises not only marriage and sexual relations, but also the labour process and the distribution of goods; relations of authority, reciprocity, and obligation; and symbolic hierarchies of status and prestige. Of course, it could well be the case that such a society has never existed in pure form. Still, we can imagine a world in which neither distinctively economic institutions nor distinctively cultural institutions exist. A single order of social relations secures both the economic integration and the cultural integration of the society. Class structure and status order are accordingly fused. Because kinship constitutes the overarching principle of distribution, kinship status dictates class position. Absent quasi-autonomous economic institutions, status subordination translates immediately into (what *we* would consider to be) distributive injustice. Misrecognition directly entails maldistribution.

Now consider the opposite extreme of a fully marketised society, in which economic structure dictates cultural value. In such a society, the master determining instance is the market. Markets organise not only the labour process and the distribution of goods, but also marriage and sexual relations; political relations of authority, reciprocity, and obligation; and symbolic hierarchies of status and prestige. Granted, such a society has never existed, and it may be that one never could (Polanyi, 1957). For heuristic purposes, however, we can imagine a world in which a single order of social relations secures not only the economic integration but also the cultural integration of society. Here, too, as in the previous case, class structure and status order are effectively fused. But the determinations run in the opposite direction. Because the market constitutes the sole and all-pervasive mechanism of valuation, market position dictates social status. Absent quasi-autonomous cultural value patterns, distributive injustice translates immediately into status subordination. Maldistribution directly entails misrecognition.

Effectively mirror images of each other, these two societies share one major characteristic: neither of them differentiates economic ordering from cultural ordering. In both societies, accordingly, class and status map perfectly onto each other. So, as well, do maldistribution and misrecognition, which convert fully and without remainder into one another. As a result, one can understand both these societies reasonably well by attending exclusively to a single dimension of social life. For the

fully kin-governed society, one can read off the economic dimension of subordination directly from the cultural; one can infer class directly from status and maldistribution directly from misrecognition. For the fully marketised society, conversely, one can read off the cultural dimension of subordination directly from the economic; one can infer status directly from class and misrecognition directly from maldistribution. For understanding the forms of domination proper to the fully kin-governed society, therefore, culturalism is a perfectly appropriate social theory.[3] If, in contrast, one is seeking to understand the fully marketised society, one could hardly improve on economism.

When we turn to other types of societies, however, such simple and elegant approaches no longer suffice. They are patently inappropriate for our own society, which contains both marketised arenas, in which strategic action predominates, and non-marketised arenas, in which value-oriented interaction predominates. The result is a partial uncoupling of the economic mechanisms of distribution from the structures of prestige - thus a gap between status and class. In our society, then, the class structure ceases perfectly to mirror the status order, even though each of them influences the other. Because the market does not constitute the sole and all-pervasive mechanism of valuation, market position does not dictate social status. Maldistribution does not directly entail misrecognition, although it certainly contributes to the latter. Conversely, because no single status principle such as kinship constitutes the sole and all-pervasive principle of distribution, status does not dictate class position. Misrecognition does not directly entail maldistribution, although it, too, surely contributes to the latter. As a result, one cannot understand this society by attending exclusively to a single dimension of social life. One cannot read off the economic dimension of subordination directly from the cultural, nor the cultural directly from the economic.

It follows that neither culturalism nor economism suffices for understanding contemporary society. Instead, one needs an approach that can accommodate both the differentiation of class from status and the causal interactions between them. Before attempting to sketch such an approach, however, I want to explicate a tacit presupposition of the preceding discussion.

Cultural Modernity and Status Inequality

Throughout this discussion I have assumed that the category of status remains relevant to contemporary society. I have assumed, that is, that it is not the case that status hierarchy is an exclusively premodern phenomenon, which disappeared with the rise of 'contract'. I have likewise assumed that

the forms of status subordination that are extant today are not simply archaic precapitalist vestiges. On the contrary, it is a presupposition of my approach that injustices of status are intrinsic to the social structure of modern capitalism, including in its contemporary globalising phase. Let me explain, and justify, these assumptions.

The need for an explanation arises because contemporary society differs sharply from those 'traditional' societies for which the concept of status was originally developed. To appreciate the difference, let us return for a moment to our hypothetical fully kin-governed society. In that society, as we saw, cultural ordering was the primary mode of social integration, and status hierarchy was the root form of subordination. We can see retrospectively, moreover, that the anthropologists who envisioned the society tacitly assumed its cultural order had five major characteristics. First, it was sharply bounded; because intercultural contacts were restricted to the margins, there was no significant cultural hybridisation, nor any great difficulty in establishing where one culture ended and another began. Second, the cultural order was institutionally undifferentiated; because a single overarching institution, kinship, regulated all forms of social interaction, a single pattern of cultural value supplied the template for the status order. Third, the society was ethically monistic; all of its members operated within the terms of a single, shared horizon of evaluation, which was all pervasive and uniformly diffused; and there existed no encapsulated subcultures subscribing to alternative ethical horizons. Fourth, the cultural order was exempt from contestation; in the absence of any alternative evaluative horizon, there was no perspective from which to criticise the institutionalised pattern of cultural value, nor any perspective that supported contestation. Fifth and finally, the resulting hierarchy was socially legitimate; however much individuals may have chafed under it, they lacked any principled basis for challenging its authority. In our hypothetical fully kin-governed society, in sum, the cultural order was sharply bounded, institutionally undifferentiated, ethically monistic, uncontested, and socially legitimate. As a result, the status order took the form of *a single fixed, all-encompassing status hierarchy*.

None of these conditions holds for contemporary society. First, the cultural order of this society is not sharply bounded. No longer restricted to the margins, transcultural flows pervade the central 'interior' spaces of social interaction. Thanks to mass migrations, diasporas, globalised mass culture, and transnational public spheres, it is impossible to say with certainty exactly where one culture ends and another begins; all, rather, are internally hybridised. Second, the cultural order of contemporary society is institutionally differentiated. No single master institution, such as kinship, supplies a template of cultural value that effectively governs all social interaction. Rather, a multiplicity of institutions regulate a multiplicity of

action arenas according to different patterns of cultural value, at least some of which are mutually incompatible; the schema for interpreting and evaluating sexuality that organises mass culture, for example, diverges from that institutionalised in the laws governing marriage.[4] Third, the cultural order of contemporary society is ethically pluralistic. Not all members share a common, uniformly diffused evaluative horizon. On the contrary, different subcultures or 'communities of value' subscribe to different, and at times incompatible, horizons of value. Fourth, value patterns and evaluative horizons are intensely contested. The combination of transcultural hybridisation, institutional differentiation, and ethical pluralism ensures the availability of alternative perspectives that can be used to criticise the dominant values. In fact, contemporary societies are veritable cauldrons of cultural struggle, as social actors struggle to institutionalise their own horizons of value as authoritative. Finally, status hierarchy is illegitimate in modern society. The most basic principle of legitimacy in this society is liberal equality, as expressed both in market ideals, such as equal exchange, the career open to talents, and meritocratic competition, and in democratic ideals, such as equal citizenship and status equality. Status hierarchy violates all these ideals.

In general, then, contemporary society is light years away from our hypothetical fully kin-governed society. Unlike the cultural order of that society, with its stable, monolithic, pervasively institutionalised pattern of value, culture today bears all the marks of modernity. Hybridised, differentiated, pluralistic, and contested, it is suffused with anti-hierarchical norms. Today's status order, accordingly, does not resemble that of the fully kin-governed society. Where that society instated a fixed, uncontested, all-encompassing status hierarchy, ours gives rise to *a dynamic regime of cross-cutting status distinctions*. In this regime, social actors do not occupy any preordained 'place'. Rather, they engage actively as contestants in *ongoing struggles for recognition*.

Nevertheless, it is not the case that everyone enters these struggles on equal terms. On the contrary, some contestants lack the resources to participate on a par with others, thanks to unjust economic arrangements; and some lack the social standing, thanks to unjust institutionalised patterns of cultural value. Cultural complexity notwithstanding, parity-impeding value patterns continue to regulate interaction in most important social institutions - witness religion, education, and law. To be sure, such value patterns do not comprise a seamless, coherent, all-encompassing, and unbreachable web; and they no longer go without saying. Nevertheless, norms favouring whites, Europeans, heterosexuals, men, and Christians are institutionalized at many sites throughout the world. They continue to impede parity of participation - and thus to define axes of status subordination.

In general, then, status subordination persists in contemporary society - albeit in another guise. Far from having been eliminated, it has undergone a qualitative transformation. In the modern regime, there is no stable pyramid of corporations or social estates. Nor is every social actor assigned to a single exclusive 'status group', which defines his or her standing across the board. Rather, individuals are nodes of convergence for cross-cutting axes of subordination. Frequently disadvantaged along some axes and simultaneously advantaged along others, they wage struggles for recognition in a modern dynamic regime.

Two broad historical processes have contributed to modernising status subordination. The first is marketisation, which is a process of societal differentiation. Markets have always existed, of course, but their scope, autonomy, and influence attained a qualitatively new level with the development of modern capitalism. In a capitalist society, markets constitute the core institutions of a specialised zone of economic relations, legally differentiated from other zones. In this marketised zone, interaction is not directly regulated by patterns of cultural value. It is governed, rather, by the functional interlacing of strategic imperatives, as individuals act to maximise self-interest. Marketisation, accordingly, introduces breaks in the cultural order, fracturing pre-existing normative patterns and rendering traditional values potentially open to challenge. But capitalist markets do not cause status distinctions simply to 'melt in the air', as Marx and Engels (1978), predicted. For one thing, markets neither occupy the totality of social space nor govern the entirety of social interaction; rather, they coexist with, indeed *rely on*, institutions that regulate interaction according to values that encode status distinctions - above all, the family and the state.[5] Even on their own turf, moreover, markets do not simply dissolve status distinctions; rather, they instrumentalise them, bending pre-existing patterns of cultural value to capitalist purposes. For example, racial hierarchies that long predated capitalism were not abolished with New World slavery or even Jim Crow, but reconfigured to suit a market society. No longer explicitly codified in law, and no longer socially legitimate, racist norms have been wired into the infrastructure of capitalist labour markets.[6] Thus, the net result of marketisation is the modernisation, not supersession, of status subordination.

The second historical process is the rise of a complex, pluralistic civil society. This, too, involves differentiation, but of another sort. With civil society comes the differentiation of a broad range of nonmarketised institutions - legal, political, cultural, educational, associational, religious, familial, aesthetic, administrative, professional, intellectual. As these institutions acquire some autonomy, each develops its own relatively customised pattern of cultural value for regulating interaction. These patterns overlap, to be sure, but they do not fully coincide. In civil society,

therefore, different loci of interaction are governed by different patterns' cultural value; and social actors are differently positioned at different sites - denied parity here or there, according to which distinctions trump which in a given setting. In addition, the rise of civil society is often linked to the advent of toleration, which permits the coexistence of different subcultures and further pluralises value horizons. Finally, a modern civil society tends to encourage transcultural contacts; accommodating trade, travel, and transnational networks of communication, it sets in motion, or accelerates, processes of cultural hybridisation. In general then, civil society pluralises and hybridises value horizons, thereby serving, like marketisation, to modernise status subordination.

The moral is that a critical theory of contemporary society cannot neglect status subordination. Rather, it must reconstruct classical sociological concepts for a modern dynamic regime. Thus, a critical theory must eschew the Durkheimian assumption of a single, overarching pattern of cultural value.[7] In addition, it must eschew the traditional pluralist assumption of a series of discrete, internally homogeneous cultures coexisting alongside, but not constitutively affecting, one another.[8] Likewise, it must eschew the 'stable pyramid' picture of subordination, which assigns every individual to a single 'status group'. Finally, a critical theory of contemporary society must include an account of the relation of status subordination to class subordination, misrecognition to maldistribution. Above all, it must clarify the prospects for emancipatory change for a time in which struggles for recognition are increasingly decoupled from struggles for egalitarian redistribution - even as justice requires that the two be joined.

An Argument for Perspectival Dualism

What sort of social theory can handle this task? What approach can theorise the dynamic forms of status subordination characteristic of late-modern globalising capitalism? What approach can theorise, too, the complex relations between status and class, misrecognition and maldistribution, in this society?

Earlier we saw that neither economism nor culturalism is up to the task. The same is true of a third approach that I shall call 'poststructuralist anti-dualism'. Proponents of this approach, such as Judith Butler (1997), and Iris Marion Young (1997), reject distinctions between economic ordering and cultural ordering as 'dichotomising'. They claim that culture and economy are so deeply interconnected, so mutually constitutive, that they cannot meaningfully be distinguished at all. Far from theorising the

relations between status and class, therefore, poststructuralist anti-dualists advocate deconstructing the distinction altogether.

Although more fashionable than economism and culturalism, poststructuralist anti-dualism is no more adequate for theorising contemporary society. Simply to stipulate that all injustices, and all claims to remedy them, are simultaneously economic and cultural is to paint a night in which all cows are grey: obscuring actually existing divergences of status from class, this approach surrenders the conceptual tools that are needed to understand social reality. Far from advancing efforts to join struggles for recognition to struggles for redistribution, poststructuralist anti-dualism makes it impossible to entertain pressing political questions about how the two types of struggles might be synergised and harmonised, when at present they diverge and conflict (Fraser, 1997b; 1997c).

In general, then, none of the three approaches considered here so far can provide an acceptable theory of contemporary society. What alternative approaches are possible?

Two possibilities present themselves, both of them species of dualism. The first approach I shall call 'substantive dualism'. It treats redistribution and recognition as two different 'spheres of justice', pertaining to two different societal domains. The former pertains to the economic domain of society, the relations of production. The latter pertains to the cultural domain, the relations of recognition. When we consider economic matters, such as the structure of labour markets, we should assume the standpoint of distributive justice, attending to the impact of economic structures and institutions on the relative economic position of social actors. When, in contrast, we consider cultural matters, such as the representation of female sexuality on MTV, we should assume the standpoint of recognition, attending to the impact of institutionalised patterns of cultural value on the relative standing of social actors.

Substantive dualism may be preferable to economism, culturalism, and poststructuralist anti-dualism, but it is nevertheless inadequate. Treating economy and culture as two separate spheres, it overlooks their interpenetration. What presents itself as 'the economy' is always already permeated with interpretations and norms - witness the distinctions between 'working' and 'caregiving', 'men's jobs' and 'women's jobs', which are so fundamental to historical capitalism. Likewise, what presents itself as 'the cultural sphere' is deeply permeated by 'the bottom line' - witness global mass entertainment, the art market, and transnational advertising, all fundamental to contemporary culture. *Contra* substantive dualism, then, nominally economic matters usually affect not only the economic position but also the status and identities of social actors. Likewise, nominally cultural matters affect not only status but also

economic position. In neither case, therefore, are we dealing with separate spheres (Fraser, 1989b).

Practically, moreover, substantive dualism fails to challenge the current dissociation of cultural politics from social politics. Casting the economy and the culture as impermeable, sharply bounded separate spheres, it decouples cultural injustices from economic injustices, cultural struggles from social struggles. Substantive dualism is not a solution to, but a symptom of, our problem. It reflects, but does not critically interrogate, the institutional differentiations of modern capitalism.

A genuinely critical perspective, in contrast, cannot take the appearance of separate spheres at face value. Rather, it must probe beneath appearances to reveal the hidden connections between distribution and recognition. It must make visible, and *criticisable*, both the cultural subtexts of nominally economic processes and the economic subtexts of nominally cultural practices. Treating *every* practice as simultaneously economic and cultural, albeit not necessarily in equal proportions, it must assess each of them from two different perspectives.

Such an approach I call 'perspectival dualism'. Here redistribution and recognition do not correspond to two substantive societal domains, economy and culture. Rather, they constitute two analytical perspectives that can be assumed with respect to any domain. These perspectives can be deployed critically, moreover, against the ideological grain. One can use the recognition perspective to identify the cultural dimensions of what are usually viewed as redistributive economic policies. By focusing on the institutionalisation of interpretations and norms in income-support programmes, for example, one can assess their effects on the social status of women and immigrants (Fraser, 1989c; 1989d; Gordon, 1994). Conversely, one can use the redistribution perspective to bring into focus the economic dimensions of what are usually viewed as issues of recognition. By focusing on the high 'transaction costs' of living in the closet, for example, one can assess the effects of heterosexist misrecognition on the economic position of gays and lesbians (Escoffier, 1998). With perspectival dualism, then, one can assess the justice of any social practice, regardless of where it is institutionally located, from two analytically distinct normative vantage points.

Countering Unintended Effects

Perspectival dualism offers another advantage as well: it allows us to conceptualize some practical difficulties that can arise in the course of political struggles. Conceiving the economic and the cultural as interpenetrating, it appreciates that neither claims for redistribution nor

claims for recognition can be contained within a separate sphere. On the contrary, they impinge on one another in ways that can give rise to unintended effects.

Consider, first, that redistribution impinges on recognition. Virtually any claim for redistribution will have some recognition effects, whether intended or unintended. Proposals to redistribute income have an irreducible expressive dimension (Anderson, 1996); they convey interpretations of the meaning and value of different activities, for example, 'childrearing' versus 'wage-earning', while also constituting and ranking different subject positions, for example 'welfare mothers' versus 'tax payers' (Fraser, 1993). Thus, redistributive claims affect the standing and identities of social actors, as well as their economic position. These status effects must be thematised and scrutinised, lest one end up fuelling misrecognition in the course of trying to remedy maldistribution.

The classic example, once again, is 'welfare'. Means-tested benefits aimed specifically at the poor are the most directly redistributive form of social welfare. Yet such benefits tend to stigmatise recipients, casting them as deviants and scroungers and invidiously distinguishing them from 'wage-earners' and 'tax-payers' who 'pay their own way'. Welfare programmes of this type 'target' the poor - not only for material aid but also for public hostility. The end result is often to add the insult of misrecognition to the injury of deprivation. Redistributive policies have misrecognition effects when background patterns of cultural value skew the meaning of economic reforms, when, for example, a pervasive cultural devaluation of female caregiving inflects welfare as 'getting something for nothing'. In this context, welfare reform cannot succeed unless it is joined with struggles for cultural change aimed at revaluing caregiving and the feminine associations that code it. In short, *no redistribution without recognition.*

Consider, next, the converse dynamic, whereby recognition impinges on distribution. Virtually any claim for recognition will have some distributive effects, whether intended or unintended. Proposals to redress and rocentric evaluative patterns, for example, have economic implications, which can work to the detriment of the intended beneficiaries. For example, campaigns to suppress prostitution and pornography for the sake of enhancing women's status may have negative effects on the economic position of sex workers, while no-fault divorce reforms, which aimed to enhance women's status, have had negative effects on the economic position of some divorced women - although their extent is currently under dispute (Weitzman, 1985). Thus, recognition claims can affect economic position, above and beyond their effects on status. These effects, too, must be scrutinised, lest one end up fueling maldistribution in the course of trying to remedy misrecognition. Recognition claims, moreover, are liable

to the charge of being 'merely symbolic'.[9] When pursued in contexts marked by gross disparities in economic position, reforms aimed at affirming distinctiveness tend to devolve into empty gestures; like the sort of recognition that would put women on a pedestal, they mock, rather than redress, serious harms. In such contexts, recognition reforms cannot succeed unless they are joined with struggles for redistribution. In short, *no recognition without redistribution.*

The need, in all cases, is to think integratively, as in campaigns for 'comparable worth'. Here a claim to redistribute income between men and women is expressly integrated with a claim to change gender-coded patterns of cultural value. The underlying premise is that gender injustices of distribution and recognition are so complexly intertwined that neither can be redressed entirely independently of the other. Thus, efforts to reduce the gender wage gap cannot fully succeed if, remaining wholly 'economic', they fail to challenge the gender meanings that code low-paying service occupations as 'women's work', largely devoid of intelligence and skill. Likewise, efforts to revalue female-coded traits such as interpersonal sensitivity and nurturance cannot succeed if, remaining wholly 'cultural' they fail to challenge the structural economic conditions that connect those traits with dependency and powerlessness. Only an approach that redresses the cultural devaluation of the 'feminine' precisely *within* the economy (and elsewhere) can deliver serious redistribution and genuine recognition.

Comparable worth epitomises the advantages of perspectival dualism. By making it possible to theorise the relations between class and status, this approach to social theory provides politically relevant insights.

Concluding Conceptual Reflections

Elsewhere, I have elaborated the political-theoretical implications of this approach (Fraser, 2001a). Here, in contrast, I conclude by explicating some conceptual implications of the preceding argument. Three points in particular deserve attention.

The first concerns the distinctions between class and status, economy and culture, maldistribution and misrecognition. In the argument made here, these were not treated as ontological distinctions. *Contra* some poststructuralist critics, then, I did not align distribution with the material and recognition with the 'merely symbolic' (Butler, 1997). Rather, I assumed that status injustices can be just as material as class injustices - witness gay-bashing, gang rape, and genocide. Far from ontologising the distinction, I *historicised* it, tracing it to historical developments in social organisation. Thus, I traced the distinction between cultural ordering and

economic ordering to the historical differentiation of markets from value-regulated social institutions. Likewise, I traced the distinction between status and class to the historical de-coupling of specialised mechanisms of economic distribution from culturally defined structures of prestige. Finally, I traced the distinction between maldistribution and misrecognition to the historical differentiation of economic from cultural obstacles to participatory parity. In short, I traced all three distinctions to the rise of capitalism, arguably the first social formation in history to systematically elaborate two distinct orders of subordination, premised on two distinct dimensions of injustice (Fraser, 1997c).

The second point concerns the conceptual openness of this account. In the preceding argument, I considered two modes of social ordering, the economic and the cultural, corresponding to two types of subordination and two types of obstacles to participatory parity. But I did not rule out the possibility of additional modes. On the contrary, I left open the question whether there might exist other modes of social ordering, corresponding to other types of subordination and other dimensions of justice. The most plausible candidate for a third dimension is 'the political'. 'Political' obstacles to participatory parity would include decision-making procedures that systematically marginalise some people even in the absence of maldistribution and misrecognition, for example, single-member district winner-take-all electoral rules that deny voice to quasi-permanent minorities (Guinier, 1994). The corresponding injustice would be 'political marginalisation' or 'exclusion', the corresponding remedy, 'democratisation'.[10]

A third and final point concerns the interpretation of the present political conjuncture. My argument implies that the current de-coupling of the politics of recognition from the politics of redistribution is not the result of a simple mistake. Rather, the possibility of such a de-coupling is built into the structure of modern capitalist society. In this society, as we have seen, the cultural order is hybridised, differentiated, pluralistic, and contested, while status hierarchy is considered illegitimate. At the same time, economic ordering is institutionally differentiated from cultural ordering, as is class from status and maldistribution from misrecognition. Taken together, these structural features of our society encode the possibility of today's political dissociations. They encourage the proliferation of struggles for recognition, while also enabling the latter's de-coupling from struggles for redistribution.

At the same time, however, the argument presented here implies that the structure of modern society is such that neither class subordination nor status subordination can be adequately understood in isolation from the other. On the contrary, misrecognition and maldistribution are so complexly intertwined today that each must be grasped from a larger,

integrated perspective that also encompasses the other. Only when status and class are considered in tandem, in sum, can our current political dissociations be overcome. And only then can we hope to envision institutional arrangements that can redress both types of injustice simultaneously.

In general, then, the argument presented here stands in the tradition of Critical Theory. Like the work of György Markus, it aims to overcome today's dissociation of the cultural from the economic. In so doing, it also joins Markus' efforts to clarify the prospects for emancipatory change in the present era.

Notes

1   Portions of this essay are excerpted from Fraser 2001a. I am grateful for the support of the Tanner Foundation for Human Values, Stanford University, and the New School for Social Research. I benefited greatly from the helpful comments of Elizabeth Anderson, Seyla Benhabib, Richard J. Bernstein, Judith Butler, Rainer Forst, Axel Honneth, Theodore Koditschek, Steven Lukes, Jane Mansbridge, Linda Nicholson, Anne Phillips, Erik Olin Wright, and Eli Zaretsky.
To be sure, these economic arrangements can be theorised in Marxian terms; but my emphasis is less on the mechanisms of exploitation than on their normative consequences, which I conceive in terms of the impact of distributive outcomes on social participation.

2   By culturalism, I mean a monistic social theory that holds that political economy is reducible to culture and that class is reducible to status. As I read him, Axel Honneth (1995) subscribes to such a theory.

3   By economism, I mean a monistic social theory that holds that culture is reducible to political economy and that status is reducible to class. Karl Marx is often (mis)read as subscribing to such a theory.

4   Intracultural differentiation is not the same thing as the differentiation discussed in the previous section. There the issue was the differentiation of market-regulated from value-regulated social arenas. Here the issue is differentiation among a plurality of value-regulated arenas, which institutionalise a plurality of different evaluative horizons.

5   On this one point, at least, Hegel's argument was better than Marx's. See Hegel's *Philosophy of Right* (1991) for the argument that 'contract' cannot be the sole principle of social integration, as the functioning of a contractually-based zone of interaction ('the system of needs') presupposes, and requires, the existence of the noncontractually-based institutions of family and state.

6   This is not to say that status distinctions cease altogether to function in more traditional ways - witness the U.S. criminal justice system, where, in a scenario eerily reminiscent of lynching, blacks are disproportionately subject to police brutality, incarceration, and capital punishment. Ironically, moreover, modern norms of liberal equality can serve to mask new forms of status subordination. In recent U.S. debates, for example, some conservatives have argued that racial discrimination was ended with the dismantling of Jim Crow, hence that affirmative action is unnecessary, unjustified, and a violation of minority dignity; they thus appeal to the absence of a fixed, legally codified racial status hierarchy in order to

mask newer forms of racism and to discredit policies aimed at remedying them, while insinuating that any remaining racial inequalities reflect bonafide disparities in competence and ability. In cases like this, liberal-egalitarian ideals become grist for the process by which distinctively modern forms of status subordination are elaborated and reproduced in capitalist society. For accounts of the modernisation of racial and gender status subordination in the United States, see Siegel 1977 and Fraser and Gordon 1994.

7   It is a weakness of Axel Honneth's (1995) theory that it maintains this Durkheimian assumption.

8   This assumption is presupposed in the theories of recognition of Charles Taylor (1994) and Will Kymlicka (1995), both of whom subscribe to outmoded notions of cultural boundedness. Defending political policies aimed at ensuring the 'survival' or 'autonomy' of minority cultures, they assume that it is still possible to sharply demarcate 'distinctive societies' or 'societal cultures' from one another. They also assume that one can uncontroversially distinguish the practices and beliefs that are intrinsic to a culture from those that are inauthentic or extrinsic. Effectively treating national cultures as internally homogeneous, moreover, they fail to give adequate weight to other modes of cultural difference, including those, such as gender and sexuality, that are internal to, and/or cut across, nationality. Thus, neither Taylor nor Kymlicka fully appreciates the capacity of cross-national and subnational pluralisms to destabilise the national 'cultures' whose 'survival' or 'autonomy' they seek to ensure. In general, both theorists reify culture, neglecting the multiplicity of evaluative horizons and the inescapability of hybridisation in contemporary society. For a critique of the reification of culture in the writings of Charles Taylor, see Amelie Rorty 1994. For a critique of the reification of culture in the writings of Will Kymlicka, see Benhabib 1999. For a general critique of conceptions of recognition that reify culture, see Fraser 2000.

9   I am grateful to Steven Lukes for insisting on this point in conversation.

10   The possibility of a third, 'political' class of obstacles to participatory parity adds a further Weberian twist to my use of the class/status distinction, as Weber's own (1958) distinction was tripartite not bipartite.

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8 Reflections on Radical Evil: Arendt and Kant

RICHARD BERNSTEIN

In the final pages of *The Origins of Totalitarianism*, Hannah Arendt sums up her horrendous narrative of the eruption of twentieth century totalitarianism. She declares:

> It is inherent in our entire philosophic tradition that we cannot conceive of a 'radical evil', and this is true both for Christian theology, which conceded even to the Devil himself a celestial origin, as well as for Kant, the only philosopher who, in the word he coined for it, at least must have suspected the existence of this evil even though he immediately rationalised it in the concept of a 'perverted ill will' that could be explained by comprehensible motives. Therefore, we actually have nothing to fall back on in order to understand a phenomenon that nevertheless confronts us with its overpowering reality and breaks down all standards we know. There is only one thing that seems to be discernible: we may say that radical evil has emerged in connection with a system in which all men have become equally superfluous. The manipulators of this system believe in their own superfluousness as much as in that of all others, and the totalitarian murderers are all the more dangerou ⸱ because they do not care if they themselves are alive or dead, if they ever lived or never were born. The danger of the corpse factories and holes of oblivion is that today, with populations and homelessness everywhere on the increase, masses of people are continuously rendered superfluous if we continue to think of our world in utilitarian terms. Political, social, and economic events everywhere are in silent conspiracy with totalitarian instruments devised to make men superfluous.

And Arendt continues with an ominous warning:

> Totalitarian solutions may well survive the fall of totalitarian regimes in the form of strong temptations which will come up whenever it seems impossible to alleviate political, social and economic misery in a manner worthy of man. (1968, p.459)

There are many dimensions of this rich and dense passage that are worthy of discussion. But I want to focus on what Arendt means by 'radical evil' and what Kant means when he used this powerfully evocative expression.   There has been a great deal of discussion - and misinterpretation of what Arendt means by the banality of evil, but much less attention paid to her provocative conception of radical evil. My approach to both Arendt and Kant is from the perspective of trying to come to grips with the new faces of evil that have manifested themselves in our troubled twentieth century.

Note that despite Arendt's reference to Kant, she declares that we actually have nothing to fall back on in order to understand a 'phenomenon that . . . confronts us with its overpowering reality and breaks down all standards we know'. This is a recurrent theme in Arendt's thinking - and indeed in her own personal experience - an overwhelming sense of a rupture with the past. For she believed that with the event of totalitarianism something radically new came into existence - something that signified a complete break with tradition. We can no longer rely on traditional philosophical and moral concepts in order to comprehend the events that have burst forth in our century. Totalitarianism, as she understood it, is not to be confused with traditional understandings of tyranny or even dictatorship. In these times one needs to 'think without banisters'. Or as she phrased it in the very beginning of *The Origins of Totalitarianism*:

> Comprehension does not mean denying the outrageous, deducing the unprecedented from precedents, or explaining phenomena by such analogies and generalities that the impact of reality and the shock of experience are no longer felt. It means, rather, examining and bearing consciously the burden which our century has placed on us - neither denying its existence nor submitting meekly to its weight. Comprehension, in short, means the unpremeditated, attentive facing up to and resisting of, reality - whatever it may be. (1968, p.viii)

But if the concept of radical evil is intended to help to illuminate this dark reality, what does it really mean?   We find a clue by returning to the passage cited, and noting that she refers three times to a system in which all human beings have become *superfluous*. And the importance of this idea of superfluousness is emphasised in a letter that she wrote to Karl Jaspers.

> Evil has proved to be more radical than expected. In objective terms, modern crimes are not provided for in the Ten Commandments. Or: the Western Tradition is suffering from the preoccupation that the most evil things human beings can do arise from the vice of selfishness. Yet we know that the greatest evil or radical evil has nothing to do anymore with such humanly

understandable, sinful motives. What radical evil is I don't know, but it seems to me it somehow has to do with the following phenomenon: making human beings as human beings superfluous (not using them as means to an end, which leaves their essence as humans untouched and impinges only on their human dignity; rather, making them superfluous as human beings). This happens as soon as all unpredictability - which, in human beings, is the equivalent of spontaneity eliminated. And all this in turn arises from - or better goes along with - the delusion of the omnipotence (not simply the lust for power) of an individual man. If an individual man qua man were omnipotent, then there is in fact no reason why men in the plural should exist at all...the omnipotence of an individual man would make men superfluous. (1992, p.166)

So if we want to grasp what Arendt means by 'radical evil', then we must try to understand what she means by 'making human beings as human beings superfluous'. It is clear already how she begins to depart from Kant because she does not think that radical evil has anything to do with the vice of selfishness or what Kant calls 'self-love'. Indeed she makes a much stronger claim that radical evil has nothing to do with humanly understandable, sinful motives. It is not simply a matter of treating human beings as means to an end or denying their intrinsic dignity. A close reading of *The Origins of Totalitarianism* shows the pervasiveness of the theme of superfluousness. And it takes a variety of forms. Arendt was sensitive to the fact the major political events of the Twentieth century, from the First World War on, have created millions of people who are not only homeless and stateless but are treated as if they were completely superfluous and dispensable. And she also calls attention to that feature of totalitarian ideology in which the alleged 'universal' laws of Nature and History transcend all individual human aspirations and desires so that human individuals qua individuals become dispensable and superfluous to the dynamic quality of a totalitarian movement. It is in this sense that the manipulators of a totalitarian system are most dangerous because they not only believe in the superfluousness of their victims, but even in their own superfluousness because it is surpassed by the Movement. But the deepest and most shocking sense of superfluousness is revealed in the concentration camps that are the 'laboratories' of totalitarianism. For it is in these laboratories where changes in human nature are tested. It is the phenomenon of the concentration camps, more than any other aspect of totalitarianism that defies human comprehension. The horror of the concentration and extermination camps can never be fully embraced by the imagination, for the very reason that it stands outside of life and death' (1948, p.748). Any appeal to common sense, utilitarian categories, or 'liberal rationalisations' breaks down when confronted with the phenomenon of the death camps. In her brilliant analysis of the 'logic' of

total domination, Arendt distinguishes three stages. 'The first essential step on the road to total domination is to kill the juridical person in man' (1968, p.447). This was started long before the Nazis established the concentration camps. Arendt is referring to the 'legal' restrictions that stripped Jews (and other marginalised groups) of all their juridical rights. The highly effective way in which these juridical restrictions were enacted has been graphically recorded in that remarkable document, the diaries of Victor Klemperer, *I Will Bear Witness*. Arendt tells: 'The aim of an arbitrary system is to destroy the civil rights of the whole population, who ultimately become just as outlawed in their own country as the stateless and homeless. The destruction of man's rights, the killing of the juridical person in him, is a prerequisite for dominating him entirely' (1968, p.451). In the concentration camps, there isn't even the pretence of human rights inmates having any rights.

The next decisive step in the preparation of living corpses is the murder of the moral person in man. This is done in the main by making martyrdom, for the first time in history, impossible' (1968, p.451). The SS, who supervised the camps, were perversely brilliant corrupting any and all forms of human solidarity. They succeeded in making the decisions of conscience questionable and equivocal.

> When a man is faced with the alternative of betraying and thus murdering his friends or of sending his wife and children, for whom he is in every sense responsible, to their death; when even suicide would mean the immediate murder of his own family how is he to decide? The alternative is no longer between good an evil, but between murder and murder. Who could solve the moral dilemma of the Greek mother, who was allowed by the Nazis to choose which of her three children should be killed? (1968, p.452)

But it is the third stage of this 'logic' of total domination that brings us closest to what Arendt means by 'making human beings as human beings superfluous' - to the core and horror of radical evil. It is the extraordinary attempt to transform human beings, to destroy any vestige of human individuality and spontaneity - and consequently any vestige of human freedom.

> After the murder of the moral person and annihilation of the juridical person, the destruction of the individuality is almost always successful... For to destroy individuality is to destroy spontaneity, man's power to begin something new out of his own resources, something that cannot be explained on the basis of reactions to environment and events. (1968, p.455)

In short, the ultimate stage in this 'logic' of total domination is the destruction of what makes human beings human. This is what Arendt called natality, the capacity to initiate (and not simply to respond like a marionette) which she took to be the quintessence of human freedom. Here is where we can see the relevance of her reference to omnipotence. The delusion of the Nazi leaders is that they are omnipotent in so far as they can not simply destroy God's creation, but that they can rival an omnipotent God by 'transforming human nature itself'. We witness here the most graphic manifestation of the phenomenon of radical evil which has nothing to do with traditional understandings of sin, vice, or evil motives. And what is most disturbing is that such evil can be brought out in the most banal manner. Monstrous deeds do not require monstrous motives.

> The camps are meant not only to exterminate people and degrade human beings, but also to serve the ghastly experiment of eliminating, under scientifically controlled conditions, spontaneity itself as an expression of human behaviour and transforming the human personality into a mere thing, into something that even animals are not; for Pavlov's dog, which as we know, was trained to eat not when it was hungry but when a bell rang, was a perverted animal. (1968, p.438)

Questioning evil can never come to an end. There are no 'final solutions' here. We can never fully anticipate the new forms of evil that can erupt. What I find admirable about Arendt is her ongoing and restless questioning - her 'thinking without banisters' - in which she sought to uncover the new faces of evil that have burst forth in our century. She does not provide a comprehensive theory of evil, nor is this what she ever intended to do. And she certainly leaves us with many new questions about radical evil. But in the theme of superfluousness, and especially in the totalitarian attempt to transform human beings by eliminating all traces of solidarity, spontaneity, individuality, natality and freedom, she uncovered a type of unprecedented radical evil. This is why, she even felt that, strictly speaking, the 'crimes' of totalitarian leaders were unpunishable and unforgivable. In her concluding remarks to the first edition of *The Origins of Totalitarianism*, she declared:

> Until now the totalitarian belief that everything is possible seems to have proved only that everything can be destroyed. Yet, in their effort to prove that everything is possible, totalitarian regimes have discovered without knowing it that there are crimes which man can neither punish nor forgive. When the impossible was made possible it became unpunishable, unforgivable absolute [radical] evil which could no longer be understood and explained by the evil motives of self-interest, greed, covetousness, resentment, lust for power, and

cowardice; and which therefore anger could not avenge, love could not endure, friendship could not forgive. Just as the victims in the death factories or the holes of oblivion are no longer 'human' in the eyes of their executioners, so this newest species of criminals is beyond the pale even of the solidarity in human sinfulness. (1951, p.433)

But we ask, what do Arendt's reflections on radical evil have to do with Kant - the philosopher who originally coined the expression. To anticipate my answer we will see that Kant has something completely different in mind. And although I will argue that his understanding of radical evil has serious deficiencies, there are features of his thinking that are relevant for comprehending evil in our time. It would be anachronistic to think that Kant should have anticipated twentieth century totalitarianism. But it certainly is not anachronistic to ask if Kant - who many considered to be the greatest moral philosopher of modernity - can help us in questioning evil, and especially in understanding the issue of responsibility in regard to evil deeds.

In order to understand what Kant meant by radical evil, we must answer the more general question, what does Kant mean by evil. Evil is primarily a characteristic of the *maxims* that we adopt. A good maxim is one that not only conforms to the moral law but which is done in recognition of our duty - what ought to be done. There are those who think that the source of evil for Kant is to be found in our natural inclinations. But Kant emphatically denies this. In his Religion *Within the Limits of Reason Alone*, he tells that: 'Natural inclinations, considered in themselves are good, that is not a matter of reproach, and it is not only futile to want to extirpate them but to do so would be harmful and blameworthy' (1960, p.51).

Natural inclinations and desires are not the source of evil, not even in their power to tempt us. The primary issue for Kant is how we respond to those inclinations - or more accurately, how we *freely* choose to respond to them. This capacity to choose to respond to them. This capacity to choose freely is what Kant calls *Willkur* that he distinguishes from the *Wille* (the legislative function of the faculty of violation). It is only in his *Religion* that Kant makes fully explicit this distinction of the *Wille* and the *Willkur*. We freely choose to obey or disobey the moral law. If we limited our interpretation of Kant's moral philosophy to his *Groundwork* of the *Metaphysics of Morals*, we might think that freedom consists exclusively in self-legislation. Kant never retreats from the claim that we are truly free when we choose to follow the moral law, the supreme norm that we legislate for ourselves. But there is another sense of freedom - freedom as free will (*Willkur*) in which we have the capacity to choose between alternatives ie., to choose to follow or disobey the moral law. The very possibility of morality presupposes such free choice.

The primary issue in determining whether a maxim is good or evil is *not* whether it 'contains' the incentive to follow the moral law or to follow our natural inclinations. Rather the issue is how these various different types of incentives are ordered or *subordinated* to each other. Kant makes it clear that it is this ordering or subordination that is the basis for distinguishing good from evil maxims - and indeed, good from evil human beings.

> Hence the distinction between a good man and one who is evil cannot lie in the difference between two incentives which they adopt into their maxim (not in the context of the maxim), but rather must depend upon *subordination* (the form of the maxim) ie *which of the two incentives he makes the condition of the other*. Consequently man (even the beast) is evil only in that he reverses the moral order of incentives when he adopts them to his maxim. (1960, p.31)

If my primary incentive is to act out of respect for the moral law and I subordinate other natural incentives to this moral incentive then my maxim is a good maxim. And subordination does not mean that I have to deny, suppress or repress my natural inclinations. I can desire to do what I ought to do. But my maxim is a good maxim only if my primary incentive is a moral incentive. But if I reverse this order and give primary to incentives of self-love or my desire for happiness then my maxim is an evil maxim.

There are awkward - some would say unacceptable - consequences of this characterisation of good and evil maxims, although Kant is perfectly aware of them. According to what Kant himself calls his 'rigorism' - no matter how beneficent my natural incentive may be - if I choose to give them priority over the moral law, my maxim is judged to be an evil maxim. Consequently, if a person acts from the natural incentive of sympathy for his fellow human beings, and gives this incentive priority over the moral law, then even if his maxim is in accord with what the moral law requires, it is an evil maxim.

This characterisation of an evil maxim - a maxim freely chosen whereby one 'makes the incentive of self-love and its inclinations the condition of obedience to the moral law', enables us to approach the concept of radical evil. Unlike Arendt, radical evil for Kant does not designate a special type or phenomenon of evil - one that breaks down all previous standards. Radical evil signifies the innate propensity (*Hang*) of human beings as a species to adopt evil maxims. Kant does not hesitate to claim that 'man is evil by nature'. Indeed Kant's language is quite strong. He describes radical evil as 'entwined with and, as it were, rooted in humanity itself'. There is a '*radical* innate *evil* in human nature', although Kant immediately adds that it is 'yet none the less brought upon us by ourselves' (1960, p.28). Kant even distinguishes three degrees of evil. The first is due to the frailty of human nature. The second is due to impurity; it is manifested when an

agent fails to adopt 'the law alone as its *all-sufficient* incentive' (1960, p.25) and stands in need of the support of other incentives beyond this moral incentive. The third is what Kant calls wickedness (vitiositas, pravitas). Kant describes wickedness, the final degree of evil, as follows:

> the wickedness... or if you like, the corruption of the human heart is the propensity of the will to maxims which neglect the incentives springing from the moral law in favour of others which are not moral. It may also be called *perversity*... of the human heart, for it reverses the ethical order [of priority] among the incentives of a free will [*Willkur*]; and although conduct which is lawfully good (ie legal) maybe found with it, yet the cast of mind is thereby corrupted at root... and the man is hence designated as evil. (1960, p.25)

Many of Kant's contemporaries were quite critical of this concept of radical evil - a concept that seems to play no significant role in his *Groundwork* or the *Critique of Practical Reason*. To them, Kant who had done so much to insist upon the autonomy of morality was back sliding by making concessions to Christian orthodoxy. Schiller called the essay in which Kant introduced the concept 'scandalous', and Goethe wrote that 'Kant required a lifetime to purify his philosophical mantle of many impurities and prejudices. And now he has wantonly tainted it with a shameful stain of radical evil, in order that Christians too might be attracted to kiss its hem'.[1]

Yet, the more closely we scrutinise what Kant says about this innate propensity to evil, the more perplexing his claims seem to be. We may think of a propensity as a natural tendency or craving that is prior to an act on our part. Presumably such a propensity influences our actions. But a moral propensity to evil cannot be conceived of as a natural propensity in *this* sense. 'Evil is possible only as a determination of the free will' so the 'propensity to evil must consist in the subjective ground of the possibility of the deviation of the maxims from the moral law' (1960, p.24). The propensity to evil must spring from the exercise of our freedom. A propensity to evil can only exist in beings capable of free choice; it 'must spring from freedom'. In short, even though Kant claims that radical evil is an innate propensity, it is a very strange sort of innate propensity 'brought by man upon himself' (1960, p.24). In a tortuous and extremely obscure passage Kant writes:

> a propensity to evil can inhere only in the moral capacity of the will. But nothing is morally evil... but that which is our own act. On the other hand, by the concept of a propensity we understand a subjective determining ground of

the will that precedes all acts and which, therefore, is itself not an act. Hence in the concept of a simple propensity to evil there would be a contradiction were it not possible to take the word 'act' in two meanings, both of which are reconcilable with the concept of freedom. (1960, p.26)

Kant lamely distinguishes two senses of 'act'. 'The term "act" can apply in general to that exercise of freedom whereby to supreme maxim... it is adopted by the will [*Willkur*], but also to the exercise of freedom whereby the actions themselves... are performed in accordance with that maxim' (Kant, 1960, p.26). The propensity to evil 'is and act in the first sense.' Nevertheless Kant insists that radical evil, the innate propensity woven into human nature, is a manifestation of the 'exercise of freedom'. In short, even though Kant insists (and reiterates) that radical evil is an innate propensity of the human species, he also insists (and reiterates) that we are somehow responsible for this propensity, we are the authors of it.

Now it certainly looks as if Kant is tying himself into a double bind. WE might say that the very language and semantics of 'propensity' (*Hang*) suggests some type of natural casual efficacy, yet Kant insists that the propensity to evil is an exercise of our freedom - our spontaneity. Why does he get himself tangled up in these aporias? Why does he tell us that radical evil is a propensity woven into the fabric of our human nature and yet that we are somehow responsible for this propensity? What is it about his moral philosophy that makes it look as if he is both affirming and denying the existence of such a propensity to evil? I suggest that if we unpack what is going on here then we can discover one of the most important and vital aspects of Kant's understanding of morality and responsibility. Furthermore we can also grasp Kant's relevance for understanding the type of radical evil that Arendt describes.

Kant never really waivers on what is perhaps the most essential claim of his moral philosophy - that human beings - as finite rational beings - are completely responsible for the moral maxims (good or evil) that they adopt. There are no moral excuses *in the sense* that we can claim that we are not responsible for the maxims that we adopt. To be a human being is to be a finite rational creature who is free - we might say 'radically free' to choose to obey or disobey the moral law. This power of free choice is the absolute condition for the very possibility of morality. Whatever role religion or the postulation of a Supreme Being play in our understanding of morality, morality itself is autonomous and doesn't rest on any external ground. Kant makes this absolutely explicit in the very first sentences of his Preface to *Religion Within The Limits of Reason Alone.*

So far as morality is based upon the conception of man as a free agent who, just because he is free, binds himself through his reason to unconditioned laws, it

stands in need neither of the idea of another Being over him, for him to apprehend his duty, nor of an incentive other than the law itself, for him to do his duty. At least this need can be relieved through nothing outside himself; for whatever does not originate in himself and his own freedom in no way compensates for the deficiency of his morality. Hence for its own sake morality does not need religion at all.... . (1960, p.3)

The more one follows out the logic of what Kant means by radical evil, the more it seems to be a rather innocuous concept. For it simply means to designate what is rather obvious - that human beings do not always do what they ought to do. They are tempted to give priority to their natural incentives. But if we choose to adopt evil maxims, then this itself is a manifestation of our freedom. Furthermore, whatever status we assign to the propensity to evil, it is always within our power to resist it. Kant even asserts that someone who actually becomes morally evil has the capacity to be 'reborn', to will what he ought to do. For if duty commands unconditionally, then it must always be possible to do what duty commands, regardless of what we have done in the past. There can be no causal necessity in choosing good or evil maxims.

We may think that the appeal of radical evil helps to explain or clarify why some persons adopt evil maxims even when they are aware of what they ought to do. But this interpretation is incompatible with Kant's claim that radical evil is a species concept. He does say that some people have this propensity and some do not: it is presumably an innate tendency of the human species. Furthermore Kant explicitly states 'that the ultimate subjective ground for the adoption of good maxims or of evil maxims' is 'inscrutable to us'. But if it is genuinely inscrutable, then the appeal to radical evil doesn't really explain why one chooses to adopt an evil maxim rather than a good maxim.

Although I have many reservations about Kant's account of radical evil it is an innate propensity for he asserts that we are responsible for this propensity - that it is a manifestation of our freedom. But I have also claimed that Kant is especially relevant in trying to comprehend the type of radical evil that Arendt describes.

The most dominant and cental motif in Kant's moral philosophy is his absolute insistence that human beings - regardless of their circumstances and excuses - are solely responsible and accountable for what they do. Human beings as practical moral agents must take full responsibility for their acts, the maxims they adopt, and even their moral disposition (*Gesinnung*). This persistent and uncompromising strain in Kant's moral philosophy goes against the contemporary prevailing tendency to find all sorts of excuses for immoral behaviour and moral lapses. Kant's understanding of freedom - not only the freedom to obey the moral law but

the more radical freedom, of will to choose good or evil maxims enables us to evaluate the actions of individuals in extreme situation. The question that becomes pressing in Arendt's analysis of radical evil is how we are to judge the responsibility for this evil. One of the most troubling issues that rises in the attempt to comprehend the evil epitomised by Auschwitz is assigning responsibility - not only to the perpetrators - to those who gave orders and those who followed orders (including such 'desk murderers' as Eichmann) but also to those so-called 'bystanders' who actively or passively supported the Nazis. We do not have to say that all those involved are responsible in the *same* way. There are crucial moral differences that distinguish a Hitler from a Himmler or an Eichmann or even those 'good' citizens who claimed ignorance of what was happening. Many would never endorse a notion of 'collective guilt', but he would insist that each and every individual is morally responsible for what they did and did not do. And just as Arendt warns us that totalitarian 'solutions' may outlast totalitarian regimes, Kant is helpful for understanding moral responsibility in situations that are less extreme than Auschwitz. We are living in a time when increasingly there is a temptation to undermine, soften or mitigate claims about moral responsibility. There is a dangerous convergence in some of the fashionable intellectual tendencies that question the very idea of a subject to whom we can ascribe responsibility and the popular tendency to find all sorts of excuses for the most horrendous deeds. Arendt does bring out a crucial feature of radical evil that has not been fully understood or appreciated. Arendt shows that the ultimate objective of the 'logic' of domination - the logic that affirms that 'everything is possible' - aims at the destruction of spontaneity - what Kant took to be the freedom that is the quintessence of our humanity. But it is Kant who enables us to see through all those rationalisations of those who are responsible for the type of radical evil that Arendt describes - the responsibility of perpetrators and responsibility of so-called 'innocent bystanders. Arendt brings forth a new face of evil - the radical evil in which human beings as human become superfluous. But Kant shows us that there can be no escape from the human responsibility for this radical evil.

Note

1   For the references and discussion of these criticisms, see Emil Fackenheim, 'Kant and radical Evil', *University of Toronto Quarterly*, 1954, Vol. 23, p.340.

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9   The Bookman

SÁNDOR RADNÓTI

Part One

By virtue of the remarkable vicissitudes which Jean Paul's works underwent during their afterlife, they may offer an especially illuminating example for a mode of literary criticism focusing on reception.

The nearly two centuries for which these works have been available are marked by a conspicuous lack of consensus about the writer who was born Johann Paul Friedrich Richter in 1763 and died in 1825. Goethe's words to Schiller in a letter written on 22 June, 1796, in which he reports Richter's visit to Weimar, proved prophetical: 'In this regard, by the way, he seems to fare no better than his writings; now he is overestimated, now underestimated, and no-one quite knows how to get hold of this wondrous creature'. This prediction was to be fulfilled not only by the subsequent history of the reception of Jean Paul but also specifically by Goethe himself. For curiously enough, two decades after Goethe's first, condescending reaction, Jean Paul's ostensible 'Orientalism' or 'Oriental' spirit secured him benevolent, indeed appreciative treatment at Goethe's hands in the explanatory texts accompanying *West-östlicher Diwan*.[1]

Nor is there any solid agreement concerning the significance of Jean Paul's works. The aesthetic values and aspirations expressed in them are still matters of contention. After a whole decade of failure he became the most successful German writer of the 1790's, and his recognition remained widespread well into the middle of the nineteenth century. In the second half of the century, however, a tendency in the public to rank him among the minor authors became apparent. It was only upon the initiative of a few major twentieth-century writers and critics - such as Stefan George and Max Kommerell - that Jean Paul's re-evaluation was put on the agenda. Needless to say, the industry of modern scholarship has colonised his works too. Nowadays we can read them in splendidly edited volumes with the guidance of excellent commentaries. But while secondary literature on Jean Paul has always been extensive, it was not until the bicentenary of his birth that the interpretative efforts directed upon his works received new

momentum. This reinvigoration of critical interest manifested itself in some of the most important institutions of German literature, such as the Jean Paul issue of *Text und Kritik* in 1970 or volume 336 of *Wege der Forschung*, also devoted to Jean Paul. Yet however undeniable the actualisation of Jean Paul appears to be, it remains limited in scope. This I find surprising, for reasons about which I shall have more to say toward the end of this essay.

The ambivalence of Jean Paul's reception is borne out by the most representative opinions concerning him. From Karl Philipp Moritz to Hermann Hesse and many others there have always been readers who discovered Jean Paul and stressed his importance. In a corresponding manner, from Ernst Moritz Arndt and Hegel to Emil Staiger and many others, there have always been readers who criticised or rejected him. Of the latter, Nietzsche's verdict is the most famous:

> Jean Paul knew a great deal but had no science, was skilled in all kinds of artistic artifices but had no art, found almost nothing unenjoyable but had no taste, possessed feeling and seriousness but when he offered a taste of them poured over them a repulsive broth of tears, he had indeed wit - but unhappily far too little to satisfy his ravenous hunger for it: which is why it is precisely through his lack of wit that he drives the reader to despair. On the whole he was a motley, strong-smelling weed that shot up overnight in the delicate fruitfields of Schiller and Goethe; he was a complacent, good man, and yet a fatality - a fatality in a dressing-gown. (Nietzsche, 1986, pp.334-335)

This assessment seems to issue from a typical interpretative approach, which may, however, just as well give rise to a positive conclusion as a negative one. What such an interpretation sees is above all the philistine Jean Paul, or more precisely put, the self-limiting Jean Paul who contents himself with little and whose worldly wisdom values only idyll. Yet competing with this interpretation are diametrically opposed images, which are in their turn more or less incompatible with one another: Jean Paul the revolutionary democrat and republican (indeed Jacobin), the exponent of the Enlightenment, the Romantic, the mystic, the moralist, the sentimental poet of inwardness, the typical representative of Biedermeier or the late Baroque, the religious or atheistic author, the teacher of Germans. His humour has been labelled folly, irony, satire, parody; it has been viewed as the mark of desperate alienation, or quite to the contrary, as conciliatory gaiety, and so on.

Friedrich Schlegel's opinion coincides with Nietzsche's later verdict to a large extent - except for the fact that for Schlegel this diagnosis presented a problem. The contradiction expressed in the *Athenäum*-fragment nr. 421 was, in Schlegel's eyes, *the characteristic dilemma of the art critic:*

It is a peculiar phenomenon indeed; an author who has not mastered even the rudimentary foundations of his art, who cannot give a *bon mot* a pure expression, cannot narrate a story well, being only capable of what is usually called good storytelling; and yet an author to whom - even if had written nothing but a singularly humorous dithyramb like the Adam-letter of the defiant, pithy, vigorous, dazzling Leibgeber - the title of a great poet could not without injustice be denied.[2]

There is a fundamental trait in Jean Paul's personality that, so far as I can tell, works of literary history dealing with him tend to overlook. Another direction of research, however, has done much to describe this trait. I mean the history of reading. A study by the librarian Günther Soffke, entitled *Jean Paul's Verhältnis zum Buch* (*Jean Paul's Relation to the Book*), which served as an important source for Rolf Engelsing's history of reading, has scrutinised Jean Paul's reading habits and examined his works as documents of the history of reading.[3]

Reading was indeed a basic activity of Jean Paul, a passion of his which bordered on the pathological. In the light of the distinction drawn by Engelsing, who describes at length the transition from intensive reading to extensive reading,[4] we can say that the way Jean Paul devoured books, his borrowings, his amply documented queries and requests addressed to booksellers, his negotiations and exchanges with librarians, the thematically extensive nature of his readings, which ranged from newspapers through *belles lettres* to the natural sciences and philosophy - or to sum up the matter in Jean Paul's own words, his 'book-vampire' temperament: all this makes Jean Paul a signal figure of the early phase of extensive reading. He presents a striking case of the 'reading furor' (*Lesewut*) which prevailed in Germany in the late eighteenth century.

In a word, Jean Paul was a *bookman,* who mostly made friends with 'printed people (books)' and whose very dreams revolved around books and libraries.[5] He seems to have set little store by the physical possession of books, owning no more than two hundred of them - certainly less than the amount he must have read in a year. This is especially surprising as he could not tire of stressing the importance of re-reading. But he devoted all the more energy to *excerpting* from books, to the point where his excerpts reached such a staggering amount that he had to use shelves and stands, assistants, registers, and even excerpts made from excerpts. Of the notes he was taking with such unceasing industry from the age of fifteen to his death, a hundred notebooks are left to us.

Excerpting, the reading of excerpts, and the collection of quotes were practices typical to the early phase of extensive reading. Eventually, the widespread collection of quotes called forth a demand that made it necessary for this activity to materialise in books. Thus many of Jean

Paul's works too ended up in such anthologies - to his utmost frustration, since they obviously did not yield a penny to their authors.[6]

Of course collections of excerpts and compendia have belonged to the traditional literary genres at least since the ancient doxographers, and people continue to write excerpts and quote texts for a variety of purposes (as I have just done, quoting Soffke's work in the previous paragraph). Yet the kind of encyclopaedic excerpting which extends to the entire domain of reading springs from an illusory belief in the possibility of the personal possession of universal knowledge which is bound up with the Enlightenment and to which very few people subscribe these days. In a corresponding manner, the practice of quoting in order to confirm or refute, that is, quoting as an authoritative or polemical device, implies a confidence that 'accurate' quotes are indicative of an objective state of the world. This mode of quoting has given way to another one that tends to stress the personal or communal - as opposed to objective - validity of a given discourse. Anyone whose texts are crowded with encyclopaedic excerpts or quotes from his reading journal is exposed to the charge of snobbery or dilettantism. Collections and anthologies of this nature have sunk to the lower strata of culture.

To be sure, already in Jean Paul's lifetime, the excerpting furore observable in his case could not remain immune to the charge of dilettantism. More important than the basis for this critique, however, is the manner in which Jean Paul's reading habits determined his writing. Jean Paul gave an heroic description of his reading habits in his novel *Hesperus, or, 45 Dog Post Days* (1795) when he wrote: 'reading invaded writing, writing invaded reading...';[7] and a humorous description in the novel *Leben Fibels, des Verfassers der bienrodischen Fibel (Life of Fibel, Author of the Bienrodian Primer)* (1811), when he wrote:

> There are happy people - e.g. himself [Fibel, whose name already designates a particular sort of book] - to whom a book is more a human being than a human being a book and who truthfully repeat the error of that Frenchman, Mr. Martin, who, in his catalogue of the library of Mr. de Bose, cites the word *printed* as an author Mr. Printed. I know few men of letters for whom the said *Herr Gedruckt* is not the supreme district authority of all terrestrial and celestial districts, your only man to consult, and the new Adam - the manikin of all men and all eons and the absolute Self; I know, as I said, few. (Jean Paul, 1992a, pp.297f)

This parody or self-parody of the literary 'bookman' exemplifies the supersaturation of Jean Paul's writing with the stuff of reading: the anecdote that Jean Paul probably read in a periodical or in an anthology of entertaining and useful stories, the Bible ('new Adam'), a fable ('manikin', 'Heckmännchen' from 'Heckthaler'), and Fichte ('the absolute I').

Part Two

Because the transformation of reading into writing through excerpting enacts the same communicative attitude as the kind of writing which counts on the reader and constantly maintains a rapport with him, the production of books is deeply determined by the author's bookman-temperament. What this means is not just the well-known fact of literary history - first noted by Dilthey - that Jean Paul was the first author in German culture to pursue literature as an exclusive vocation,[8] so that his economic and social situation as well as his sense of calling revolved entirely around literature, as did, in a more idiosyncratic manner, his private life. What I have in mind is also not primarily a matter of the frequent thematic references in Jean Paul's works to the production of books, as in the pendant to *Flegeljahre* (*Fledgling Years*, 1804), the novel entitled *Hoppelpoppel oder das Herz*, or in the countless other works whose heroes occupy posts at various stages of book production and circulation: authors, publishers, librarians, printers, reviewers, censors, editors. Nor is it a question of the fact that many of the books that these characters are said to be reading - or writing! - are actually works by Jean Paul: thus one of the protagonists of *Fledgling Years*, Walt reads *Wutz* (more on this work later); Siebenkäs, the advocate of the poor in the eponymous novel (*Flower-, Fruit-, and Thornpieces; or on the Married Life, Death, and Wedding of Advocate of the Poor F. St. Siebenkäs -* 1796/7) writes *Teufelspapiere*, which is in fact a collection of satirical writings by Jean Paul himself (1789); in his last novel, entitled *Der Komet* (*The Comet*, 1820/22) he appears as the author of the same work, named Richter, a house teacher from Hof. Much less is it simply a question of the frequent appearance in Jean Paul's works of a certain author named Jean Paul, who figures in turns as the narrator, a reviewer, as the hero's godfather, as the 'book subscriber',[9] or as the author of the work in question (for example, in *Wutz*, or in another short prose work titled *Mein Aufenthalt in der Nepomukskirche während der Belagerung der Reichsfestung Ziebingen - My Sojourn in the St. Nepomuk Church During the Siege of the Imperial Fortress Ziebingen* (1810), or in *Fibel*).

No, the connections which interest us here lie much deeper than these oddities. Indeed they determine the very form and formlessness of Jean Paul's writings. In them, every steady framework and solid form is disrupted by the sheer superabundance of material, by an unstoppable profusion of so-called major works broken off and left in a fragmentary shape, miscellaneous reflections (often from or about readings), observations, introductions and postscripts, prefaces and more postscripts, appendices, excursuses, ramblings, preliminary and posterior chapters, erudite digressions, pseudo-scholarly notes, and so on without an end.

These features establish a kind of immediate communication with the reader which continually circumvents, brackets and revokes the fictional narrative or over-emphasises its fictional character. Indeed Jean Paul's texts frequently figure even more direct modes of communication with the reader: in the form of contracts and agreements, in repeated instances of the narrator's 'speaking out of character' and directly addressing particular groups in his readership, the parading of fictional narrators and readers, the exchanging of their roles, the manufacturing of fictional texts within the text (letters, reviews, etc.) and fictional reception histories.

Soffke, to be sure, writes the following:

> The reader constantly lives in two worlds, in the world of the novel and that of the author. If one recalls the numerous occasions on which the author establishes contact with the reader - who is sometimes, as it has been shown, allowed to contribute to the writing of the novel - then it becomes evident that Jean Paul's novels connect three levels in the most intimate fashion, and they have three themes, so to speak: the represented events, the author's writing and reflecting, and the reader's reading and reflecting. The magic medium of this *unio mystica* is the printed book. (Soffke, p.370)

As observed long ago, the three levels distinguished by Soffke are not really of equal significance. The level of the represented subject matter is almost covered up by the other two. Moreover, the plot follows pre-formed patterns (such as the double, the exchange of children, seeming death etc.) adopted from earlier (comic, sentimental, educational, heroic) novelistic models with an unconcealed indifference, indeed, with a kind of negligence which is more often found in pulp novels than in 'high' literature. In view of this schematism, one can say that, even on the level of the events and actions which are being recounted, the author's writing and reflecting is thoroughly influenced by the accumulated substance of his readings. *Die Unlust zu Fabulieren* (*The Reluctance to tell Tales*): this is the strikingly appropriate title of a study by Kurt Wölfel. Wölfel notes the 'discrepancy between a textual complexity of the highest order on the one hand, and a trivially conventional fable fiction, on the other' (Wölfel, 1984, p.164). Peter Michelsen speaks of a fictional space (Fiktionsraum), 'which is not generated - as it is usual - by a "tale", a fictional chain of events, but rather it constitutes itself in the very same places where fiction normally finds its boundaries: in the narrator and in the reader.'[10]

Finally, Wölfel has the following to say about a text by Jean Paul which bears the telling title *Geschichte meiner Vorrede zur zweiten Auflage des Quintus Fixlein* (*History of My Preface to the Second Edition of Quintus Fixlein*, 1796):

Here the author produces a tale, a 'fictitious plot', from no other fictional material than that which results from the primary fact and process of his authorship, his writing, and, complementary to it, the fact of his being read ... Jean Paul brings the reality of his own life world and of his own existence into the narration with such immediacy that compared to these aspects, all other imaginary formations on the level of the fictitious story appear like secondary, derivative inventions. For the ground of reality and truth of all that Jean Paul has published in his writings is, ultimately, the writing itself. Within that which is written, the bounds delimiting the spaces of language game have expanded so immensely, the polyphony of the texts is constituted by so many different and contesting voices, that the identity of the subject of narration who leads and modulates these voices has become scarcely distinguishable. (Wölfel, 1984, p.166)

This excellent account only needs to be complemented with the recognition that writing ultimately comes full circle in Jean Paul's texts. It departs in the most immediately determining manner from reading and it turns into reading, indeed, it turns into reading in such a way that we are constantly reminded that it is 'just' reading. The sustained self-consciousness of the narrative as a text designed for reading, a self-awareness which is never suspended by Jean Paul in the unfolding of the tale for the sake of fictional illusion: this may well be his pivotal characteristic. The empirical substance of the text(s) already read, which constitutes the experiential stuff of the work, is, of course, a very personal one. Wölfel only needs to qualify his remarks about the subjective nature of Jean Paul's technique insofar as the various layers of the texts resound with voices infiltrating from the enormous choir consisting of the writing and reading subjects of pre-existing texts.

As an aesthetic theoretician, Jean Paul stressed the necessary subjectivity of any humoristic sort of poetry: 'This is why for every humorist the 'I' plays the first role; indeed, he will even involve his own personal circumstances in his comical theater, albeit with the sole purpose of poetically annihilating them. [Since] he is his own court-jester and his own comical Italian masquerade quartet, and on top of it the ruler and the director too...' (Jean Paul, 1963, p.132). In the space of an infinite subjectivity the objective world loses its sharp contours.

In this theory of art, features of Romanticism and *Aufklärung* are alike opposed to the aesthetics of form. Indeed they can be seen as justifying a certain formlessness. The Romantic element consists in privileging - over the bounded and rounded off 'plastic' ideal of beauty of Antiquity or the Classicist ideal of perfection - diverse forms of the open and boundless, indeed, infinite sublime, or to use Jean Paul's expression, the 'inverse sublime' (*das umgekehrte Erhabene*), the kind of humour which annihilates

everything finite. The element of *Aufklärung* depends on an adherence to the ideal of the usefulness of art and on conceiving of the communication between author, work, and reader in subordination to this ideal - and so what we have is an emphasis not on the autonomy but rather on the heteronomy of the work of art. Thus, even as the boundaries of objective reality become blurred, even as the infinity of the subject makes it impossible to ground and consolidate an objectively true story, this subjective infinity is nonetheless far from being empty and limited in its very endlessness to the subject - which it places in the centre in order to annihilate it humorously - and it does not obliterate the factual reality of life in the name of some 'poetic nihilism'. On the contrary, this subjective infinity is full of *material,* and it allows for infinite saturation with more material.

This is why Jean Paul considers Schiller his most important theoretical adversary. According to Jean Paul's somewhat superficial understanding of Schiller's theory of play, cold formal perfection is warranted by the expulsion of all 'warm' material which fills form with content. Indeed Jean Paul extends his criticism to the obsessive veneration of the Greeks that everyone seemed to share from Winckelmann through the representatives of Weimar Classicism to Jena Romanticism. Jean Paul parodied this Grecomania by remarking: 'there is no more beautiful form than the Grecian, which is reached most easily by renouncing all matter. (Hence it is that one now moves best to Grecian choreography by abandoning the scholarly ballast of later centuries and *easing* oneself, so to speak)' (Jean Paul, 1992c, p.130). It is not difficult to notice here the identification of 'material' with encyclopaedic knowledge. Moreover, we should add the distinction which is absolutely decisive with regard to the theory of narration: what is typical of narratives of the Bible and antiquity, as well as of children's tales, is the naiveté with which they 'forget the narrator in the act of narrating', whereas modern narratives can no longer afford such amnesia. Modern prose is closer to writing than to speech anyway, and - aside from a few significant exceptions (like *Wutz)* - Jean Paul refuses to comply with the prescription of eighteenth-century aesthetics according to which narratives must emulate and evoke oral storytelling.[11]

The writer who combined the two major aspects of modernity - the Enlightenment and Romanticism - in such a unique way did not justify his disregard for form by invoking the idea of genius, that central supporting element of aesthetic autonomy. Within the discourse of artistic genius, Jean Paul occupies a moderate position: he humanises genius by qualifying its exalted status with an awareness of human finitude and fragility, with a sober recognition of the limits of human autonomy. Speaking of his great novel, *Titan* (1800-1803), Jean Paul himself suggested that a more

appropriate title for it would be 'Anti-Titan'. Indeed this work might be read as a critique of the contemporary 'German titanism' of Friedrich Schlegel, Fichte and - in one possible, though biased reading - of Weimar Classicism.[12] The primary ground for Jean Paul's scepticism returns us to his aesthetic heteronomy, for what he repudiates in the figure of the genius is precisely the propensity for estrangement from the world and encapsulation in the self.[13]

Already in the predominant tradition of the eighteenth century, irrational genius was opposed to rational cleverness (or wit, ingenuity, 'Witz'). We only need to recall Lessing's dictum - 'genius loves simplicity, wit loves complication' (Lessing, 1856, p.167) - to suspect a hidden parallel (although one with reversed valorisation) to Jean Paul's opposition between the simplicity of formal reduction and the complexity of infinite connections and affinities within the material. Yet once again, the endless web of the threads of tradition that Jean Paul continues to weave complicates his position (or positions). On the one hand, he is beholden to the Baroque wit resuscitated by him, which Gottsched and Lessing have called 'wild wit' on account of the unbridled imaginative powers it unleashes. On the other hand, he is heir to 'wit' in the sense of the rational combinatory logic of the aesthetic faculties, which turns against the 'wild wit'. Thirdly and finally, by qualifying the rationality of poetic, imagistic-metaphorical-wit in his own theory of *Witz* (wit), Jean Paul adumbrates a moderate theory of genius.[14]

In the debate between aesthetic autonomy and heteronomy which has been alive throughout more than two hundred years of modernity, Jean Paul turns out to stand closer to the pole of heteronomy. In the very midst of 'the art period', doubts accumulate in him concerning the independent status of art and the artist. According to one of his notes, he had no qualms about disregarding aesthetic hierarchy in view of immediate effect upon the life world: 'The poorest and the most perfect works of art share this lack of effect'.[15] At the same time, he owed his success largely to the audience of the art period (female readers, women from the petite bourgeoisie, the women of salons, aristocratic women). True, Jean Paul's position among the protagonists of the art period was marginal. Nor should one overlook his constant efforts to bring about a reconciliation between art and the anti-artistic aspects of life, between 'poetic nihilism' and 'poetic materialism', idealism and materialism, genius and wit, creative imagination and imitative reflection (which in his case contented itself with producing and using excerpts of his readings). Since, however, these syntheses do not eliminate inner tensions, Jean Paul's works continue to divide his readers.

Kurt Wölfel, and Jochen Schmidt in an even more pronounced form, portray Jean Paul as a *Romantic* who has developed certain anti-Romantic

strategies in order to compensate for his innate tendencies and the dangers issuing from them. As should be apparent from the foregoing argument, I am more inclined to stress the other pole of the opposition. I propose to heed Jean Paul's reservations about aesthetic autonomy as a principle of alienation; I want to take his opposition to formal reduction seriously and I want to insist on the importance of his preference for material plenitude and for an immediate effect upon, and rapport with, the life of the reader. This position, which is one-sided insofar as it only represents one pole of the modern space of the aesthetic, received a powerful early exponent in Jean Paul's person, even if he was perceptive enough to recognise this one-sidedness and strive for some sort of correction.

One may, of course, justifiably wonder what kind of world can emerge from such richness of material. When addressing this question it is tempting to draw a somewhat precarious distinction between material drawn from lived experience and material drawn from reading - a distinction which, in this context, evaporates as soon as it is made. The reluctance to tell stories bears witness to a certain scarcity of lived experience, as well as to its narrowness, its being limited to one's own biography. In the background of the bulk of the material stand the readings that make up the stuff of lived experience accumulated by the bookman. This is one interpretation, at the very least, permitted by Jean Paul's works. But they also permit another one, according to which these texts - written in the midst of the 'art period', the age in which prose becomes an art form - are unusually 'polyphonic', in that they allow the reader a glimpse of pre-existing, barely erased texts. In this manner the subject of writing multiplies itself. No wonder that theory, interested as it is in seeing the literary work of art as a rounded off and unitary subject, 'a cosmos which is somehow complete in itself' ('ein irgendwie in sich kompletten Kosmos'), tends to pronounce a dismissive verdict about Jean Paul's work, every judicious appreciation notwithstanding. Lukács, to cite just one example, wrote the following in a passage (actually indebted to Jean Paul's ideas) from *The Theory of the Novel*: '...Sterne's and Jean Paul's magnificently resounding voices only offer subjective reflections of a merely subjective and therefore limited, narrow and arbitrary fragment of the world' (Lukács, 1965, p.50).

We are, however, in a position to recognise the anti-modernist modern in Jean Paul - as we have recognised in a number of authors ever since postmodernity the appearance of a strong anti-modernist movement within modernity, prompting us to re-read the tradition.

Part Three

If the foregoing considerations are correct, then one might say that Jean Paul's writings were written not so much by the artist as the author. What does the term 'author' mean? This question is kept alive by the unusually keen authorial self-consciousness expressed in Jean Paul's works through the ostentatious presence of the author. Not only the tenor of the writing but also its very theme point in this direction: indeed one could compile an entire gallery of the portraits and self-portraits and character sketches of Jean Paul's authors. I single out only two, Fibel and Wutz, as embodiments of the two extreme poles of authorship. In an eloquent testimony to the power of Jean Paul's method of humorous destruction, they annihilate the finite ideas of the unity and originality of the authorial subject.

In the Appendix to *Life of Fibel, Author of the Bienrodian Primer* - a work written between 1806 and 1811 - Jean Paul presents an old alphabet book, which must have been his very first reading. For every letter, the book presents two pictures and a couplet: 'This work then, which, along with the basic elements of every science - that is, with the ABDCEF etc. - at the same time presents a brief history of religion, a rhymed science of poetry, colourful pictures of men and animals as well as tiny still lives and a quick history of nature and the crafts...' (Jean Paul, 1992a, p.369).

To match this work, an actual book, Jean Paul invents an author named Gotthelf Fibel, one of whose chroniclers will be himself, Jean Paul. If we investigate into the genesis of Jean Paul's text, some of the most important experiences we find in the pre-history of the work have to do with Jean Paul's readings - more precisely, with his growing irritation at a veritable industrial-scale production of fatuous biographies following the deaths of Kant in 1804 and of Schiller in 1805.

Jean Paul's appreciation of the author of the alphabet book - this insignificant, minor work - as one of the truly great spirits is expressed in an elaborate and complicated fiction operating on a number of levels. In quest of the author of the spelling book (*Fibel* in German), the efforts of 'Jean Paul' are finally rewarded when he meets a Jewish bookseller. However, he cannot find the forty volumes of *Biographia Fibeliana*, only parts of the book in the form of covers, paper scraps, kites, and wrapping paper. He reconstructs the life of Fibel on the basis of this laudatory biography, which was supposedly written by employees of Fibel's publisher who formed a biographical and anti-critical academy in order to write still more books. Meanwhile, Fibel is not supposed to have contented himself with his spelling book, but appears in public as the author of further works. He is said to have published, moreover, two reviews of the spelling book - one written by the jealous village school teacher, the other by one

J.P. - and the 'anti-criticisms' written in response. In this manner the fictitious author becomes the biographer of the biography of another fictitious author, the resurrector of a grotesquely inflated and grotesquely perished biography.

What the biography does not know about are the circumstances of Fibel's death - until finally the four closing chapters reveal that Fibel is alive and well as a hundred and twenty-five year old man, having turned once again into the humble little man: his vanity is unaffected by the world of books. He has even changed his name - a pivotal change indeed in a work by the author who probably paid more attention to names than any writer before him, creating talking names, exchanging them and even giving himself a new name.[16] After his native region Fibel calls himself Bienroder.

The excitement of the worldly games of Mister Printed has passed, to be sure, yet even this change is expressed in terms of reading, in a return to the Lutheran principle of 'sola scriptura':

> ...he did nothing and read nothing but the Bible from the beginning to the end, being firmly convinced - and therefore reading the last books faster - that upon reaching verses 20 and 21 of Chapter 22 of the Revelations of St. John: 'He who testifies to these things says, surely I am coming soon. Amen. Come Lord Jesus. The grace of the Lord Jesus be with all the saints. Amen' he would pass away. (Jean Paul, 1992, p.541)

The sole reading of Fibel, the author of Fibel, has become 'die Bibel' - the Bible - with which his existence has become so inseparably bound up that its end, the closing lines of the New Testament, mean his own end too. The parodistic hero of extensive reading and writing has thus become 'homo unius libri', an intensive reader.

Jean Paul's biography of Fibel is a rollicking parody with a melancholy-idyllic ending, which reflects the multiple layers constituting the world of books. Yet it is not only that. The digressions known to every reader of Jean Paul are here facilitated by the plot, since the mediocrity and insignificance of Fibel's life virtually compel the academic biographers reconstructing the figure of 'Jean Paul' to ramble. On a deeper level, however, the satirical intent is subordinated to a profound respect for the letter as the basic element of writing[17] - a respect evident even in the naive devotion of those who can barely spell, to whom, in a sense, Jean Paul pays humorous homage. Beneath the surface of parody, the book evokes the miracle of reading and authorship as it is experienced by the humble young man who invents the awkward rhymes of the little book.

This miracle compels Fibel - and this is the crux of my exposition - not to content himself with a single work but pride himself on being the author

of a hundred and thirty-five works. Moreover, he wants to make full use of the entire universe of possibilities offered by the alphabet by becoming the author of works exhibiting the full encyclopaedic range of the storehouse of humankind's knowledge. But how on earth does he achieve this? By going to auctions and buying books whose title page does not specify the author's name and thus allows him to insert his own. Thus he becomes the proud author of a work about the Villa Borghese, of Swift's *A Tale of a Tub*, a French translation of Defoe, a volume titled *Fibels Gründliche Ausführung der dem Kurhause Bayern zustehenden Erbfolgs- und sonstigen Ansprüche auf Ungarn und Böhmen wie ingleichen auf das Erzherzogtum Österreich Fol. München 174 (Fibel's Thorough Exposition of the Succession Rights and Other Claims to Hungary and Bohemia as well as to the Archduchy of Austria to which the Electoral House of Bavaria is Entitled)*, and, blasphemously, a 1737 edition of the Bible.[18]

Wutz, the other author, prefers the inverse path of authorship: he actually writes the books of which he only knows the title. The early story entitled *Life of the Merry Masterkin Maria Wutz in Auenthal* (1791) did not elicit much attention during Jean Paul's life, even though its author repeatedly called attention to it in his expository prose and fiction. Later, however, it was to become, and still is, one of his most popular works. It is, actually, one of the typical complications attendant on Jean Paul's reception that there has never been an agreement as to his 'major' work: for some, the *magnum opus* is *Titan*, for others it is *Fledgling Years* and yet others have other favourites.

To maintain gaiety is the unique art of Wutz.[19]

> To be sure, thou, my dear Wutz, art well able to compose *The Pleasures of Werther*, thine outer and inner worlds being ever soldered together like the two halves of a shell enveloping you as their oyster; but with us poor buffoons, sitting around the stove here, the outer world rarely provides the choral accompaniment to the merry tuning within us; or at most only when our tuning board breaks down entirely and we start creaking and croaking; or to use another metaphor: it is when our noses are blocked that we are presented with an entire Eden of flowery bowers whose perfume we cannot get wind of. (Jean Paul, 1992b, p.93)

Thus Wutz is characterised by the biographer who unfolds his story sitting at the fireside and who calls himself 'Jean Paul'. This voice even enters the story as the other 'producer of books' whom the hero appoints to organise his library as he takes an easy farewell from the nether world at the end of an uninterruptedly contented life.

How can Wutz accomplish all this? No doubt he is the central figure in Jean Paul's gallery of amiable eccentrics, cranks and 'weirdos': the one

who can *scale down* the outside world to the lesser dimensions of his inner world. While the language of average life might call this attitude pathological, the emphatically idyllic portrayal and the admiring tone used by the narrator - a tone which is humorous without being ironical - preclude such dismissal. What they concede is a kind of infantilism, the absence of an awareness of time, the perpetual presence of living in the moment. Already as a child Wutz was childish; for it is Jean Paul's profound psychological observation that there are two sorts of children's game, one serious and the other childish, depending on whether role playing is aimed at imitating adult life or something else, such as animal behaviour.

To be sure, I would be reluctant to accept Max Kommerell's enthusiasm when he suggests that 'hidden in the little school master of Auenthal there is a minor artist, a minor saint'. But there is surely a basic truth in Kommerell's poignant formulation, according to which Jean Paul 'has that special, rewarding power of imagination which affirms and transfigures things, a droll and tender, bumblebee-like indulgence in the moment, an almost devout desire to feel about, taste, smell, sip, and fondle even the tiniest sign of life. If he is a jewel of diminution, he also has a magnifying organ in himself, and for him the lanterns of his village street effortlessly turn into the Milky Way' (Kommerell, 1957, p.285).

One symptom of this expansion of inner life and of the corresponding diminution of outward existence is the fact that the library of Wutz consists of nothing but what he wrote for himself:

> ...each new fruit of the Book Fair whose title our little master clapped eyes on was now as good as written or purchased: for he would sit down at once and produce it and donate it to his handsome collection, which like the pagan ones, consisted of manuscripts only. Lavater's physiognomical fragments, for instance, had hardly appeared when Wutz began to gain on the fertile brain ahead by folding his scribbling paper in quarto and not quitting his chair for three weeks on end until he had delivered his own brain of the physiognomical foetus (- he bedded the foetus on the bookshelf -) and in writing drew level with the Switzer. He labelled the Wutzean fragments Lavater's, with the annotation that 'he had nothing against those in print; but he hoped that his hand was equally legible, if not an improvement on some median Gothic print'. He was no confounded pirate who, with the original in front of him, often copied the greater part of it; *he* did not touch the original. (Jean Paul, 1992b, p.86)

Thus, 'with a total lack of external impressions, he wrote Schiller's *Robbers*, Kant's *Critique of Pure Reason*, Cook's travels, *The Sorrows of Young Werther*, as well as Rousseau's *Confessions*. J.-J. Rousseau or Wutz (it makes no difference)...' (Jean Paul, 1992b, p.88). We may note that

Wutz is no less encyclopaedic than Fibel. It does not matter what he comes across: medicine, the universal history of diseases, freemasonry, chemistry, or alchemy. If he chances upon something about which he has not the faintest idea, so much the better: when he finally reads what he has written, he will understand it. And when he sets out to write a work that is reputed to be incomprehensible, like *The Messiah* by Klopstock, he contrives to foil the comprehensibility of his own hexameters by means of illegible handwriting.

The implied equation of incomprehensibility with illegibility is, in a sense, one of the most dazzling caricatures of the bookman. Likewise, the inspiration which allows Wutz to smuggle his own life into foreign works (his idyllic love into *The Messiah,* for instance) is a loving destruction of the *artistic* mode of writing, as Roger Ayrault has aptly remarked: 'In *Wutz* Jean Paul parodies for the first time, and in an allusive manner, the act of poetic creation, which he will do more and more explicitly in his later works, finally turning it into a humorous myth of himself' (Ayrault, 1965, p.85).

Let us have a look at another passage, in which Jean Paul affects humour with a pathological edge, only to revoke this possibility of portrayal in a punch line which lifts out the text from the world of fiction with a single quick gesture:

> ... having for some years stacked and thoroughly studied his book-case in this fashion, he came to believe his manuscripts to be the true canonical sources and the printed works merely plagiarism of his own handwritten ones; for the life of him, he complained, he could not fathom how and why the book haulier forever falsified and altered the printed text to such an extent that if you did not know better you would truly swear that print and manuscript had two different authors. (Jean Paul, 1992b, p.87)

We happen to know the general formula for this kind of punch line. Writing about the annihilating (or 'infinite') nature of the idea of humour in the *Pre-school of Aesthetics*, Jean Paul describes the trick he often uses, that of entering upon a long-winded elaboration of nonsense and bringing his ruminations to an abrupt end with an epigrammatic declaration of their meaninglessness. 'Thus, for instance, on several occasions Sterne considers certain events carefully and at great length, only to decide finally: not a word of it is true anyway.'[20]

The passage quoted above features a keyword which may be quoted in order to name, somewhat crudely, the authorial method of Wutz, just as *Fibel* names the method of the eponymous hero: falsification in the former case, plagiarism in the latter. Monroe C. Beardsley has given a laconic account of their difference: 'in the case of plagiarism one concerns oneself

in "passing off another's work as one's own", in the case of forgery, in "passing off one's own work as another's'".[21] Since this dual definition is free of moral and historical implications, it may be applied to diverse periods, such as Jean Paul's, in which these ideas did not yet automatically elicit a particular judgement (at least in Jean Paul's mind), at best laughter, or ours, in which both have *already* become accepted literary strategies. For this to happen, traditional values of aesthetics like originality and aesthetic autonomy had to become questionable.

For Jean Paul, it was his imaginary library that relativised the value of originality:

> Actually, every impartial observer says that almost all of us proceed not like Fibel but much worse, since we do not call our own the anonymous thoughts of just one individual as he does, but rather we attach our name - under the title 'our erudite culture' – to countless thoughts of several thousand individuals, of entire epochs and libraries, now stealing from the plagiarised author, now stealing *his very person.* (Jean Paul, 1992a, p.479)

If the writer's apology on behalf of Fibel centres on the impossibility of originality, then Wutz would have to embody pure originality in the author's eyes, since, having no source other than his fantasy, he cannot write anything he has not made up himself. Yet the story of Wutz is not that of an intellectual Robinson Crusoe. He writes instead of reading for the simple reason that he has no more than two rusty pennies in his purse. Still, he is aware of what he calls 'our erudite culture'. There is at least one book he admits into his house - the library catalogue from which he draws his titles - and he has vaguely heard something to the effect that Klopstock is supposed to be incomprehensible. To be sure, his solipsism leaves him exposed to some minor blunders: in the title of Feder's polemical treatise about Kant, for instance, he mistakes 'space' for 'shipping space' and 'time' for the menstrual period. Such solipsistic ignorance is nevertheless only the reverse side of Fibel's universalist ignorance (just as Wutz only knows the title of the 'original' work, so Fibel only reads the title of the appropriated work). Thus, ultimately, both authors occupy the same place: they are curious objects and inquisitive subjects in the curiosity cabinet of an encyclopaedic knowledge connecting and homogenising all things, in which book titles become labels for odd objects. Wutz's ego, which encompasses a universe (a very small universe) and Fibel's barely extant ego, which academic laudation only shrinks to an even more microscopic scale, are two sides of the same coin. Both sides show us the same thing: the grandeur and misery of the encyclopaedic spirit and of the extensive reading that has emerged with it. They represent the two extremes, attained through parody and self-parody, of the notion of the author implied by the encyclopaedic spirit.

To that extent Fibel and Wutz can be viewed as precursors of the two great encyclopaedists of the following century - Bouvard and Pécuchet (both pairs can be interpreted, in their turn, as stages in the history of the reception of d'Alembert and Diderot). Flaubert, however, harboured considerably more profound doubts in regard to encyclopaedic knowledge than did Jean Paul. The divisions between areas of knowledge which hamper his heroes are much deeper, and his heroes actually fall into them one after the other. Wutz still has no problems of identification when he makes his leaps between chemistry and the humanities, historiography and poetry, whereas each leap ventured by Bouvard entails different requirements of identification.

Scholarly writings about *Wutz,* especially works written earlier, when it was still customary to draw connections between the writer's life and his works, often call attention to the biographical aspects of this little work, to the analogies to the circumstances among which Jean Paul lived in his childhood and youth. In his autobiography he makes much of his thirst for books in the 'intellectual Sahara' in which he lived. 'If ye would just consider that, in a village without population and in a lonely parsonage, books had to be speaking people for a soul so eager to hear, and the most affluent visitors from foreign countries, Maecenases, royalty passing through, the first Americans, or New Worldlings for a European' (Jean Paul, 1992d, p.333). He, too, was a descendant of country schoolmasters adhering to the Lutheran faith; his grandfather was rector, church singer, organist, while his father an organist and 'tertius' (tertiary teacher), later priest, whose early death left his family penniless. What seems even more important, however, is the parallel between the library written by Wutz and Jean Paul's own library of excerpts. The triad of reading, excerpting, and authorship practised by Jean Paul throughout his life is strangely abridged by necessity in the case of Wutz: the first two moments are limited to the reading of new book titles. The psychic roots of his authorial activity are illuminated by a story from his childhood about how he read aloud to his father, and how he later read from the pulpit, enriching Biblical exegesis with his own 'interpolations' (insertions and emendations, that is, but the Latin word also connotes the faking of texts).

Eduard Berend mentions a few biographical and literary precedents of the authorial strategy of Wutz: as a young man Jean Paul had others copy the titles of his excerpting notebooks and then pretended, according to his own testimony, 'that they were printed works'. Moreover, the theme of appropriating foreign works appears in an early satirical work of his (Berend, 1927, I, 2, p.LIV).

Yet there are two crucial precedents of this early 'appropriation art' which must also be mentioned. In the foreword to *Die Teufels-Papiere* the

author lays claim to the authorship of works by the two writers who are foremost in the tradition inspiring him: Swift and Sterne. Opening up hermeneutic perspectives visible only to the contemporary reader, the author of the foreword ('J.P.F. Hasus') humorously suggests that he has written his best works before his birth but they were stolen from him (Jean Paul, 1927b, p.225).

There is one more passage which demonstrates the centrality of the connections just mentioned to Jean Paul's manner of writing:

> The illusory transformation of an initially given thing through a second one creates from these two things in conjunction a metaphor: the Lavater of Wutz as well as the Rousseau of Wutz are metaphors because each one is the original and not the original at the same time. This play with the autodidactic transformation of autodidacts is based on the paradox that these books of the 'I' exist from now on as things given in the external world, which, however, a new 'I' now brings forth from himself as that which already exists. Yet this is precisely Jean Paul's procedure: to cite and re-invent some material already given in the lexical or scientific sphere, but to re-invent it as the foreign thing being cited. (Böchenstein, 1984, p.152)

We must not forget, however, the description of the relation between the inner and the outer world given in the oyster-metaphor. The outer world is an excretion of Wutz himself, which he excretes from his inner world in a way that is not afforded to us simple mortals. His idyllic existence is solitary and, as it has been noted, imperilled.[22] It is 'a kind of idyll' ('Eine Art Idylle') surrounded in the eyes of narrator and reader alike with the melancholy halo of mortality, the despair of misery, the narrowness of perspectives, a sense of the ridiculousness of his weird hobby, the terrifying effect of obsession, and an infinite sadness veiled by gaiety. The self-metaphor cannot be endlessly exploited. Wutz and Fibel are merely two polar figures created in Jean Paul's perpetual self-multiplication as author.

Part Four

The most worn-out commonplace about Jean Paul - which I have continued to wear out in the above - puts him in a pigeon-hole between the Enlightenment and Romanticism. It is also well known that there are multiple threads linking his work to various traditions ranging from the eighteenth-century English novel to German Pietism. Yet enumerating these connections is less risky than venturing conjectures about the actual and possible paths leading from Jean Paul into the future or speculating about which works were stolen by Jean Paul a hundred and fifty or two hundred years before they were actually written.

It is Milan Kundera's famous idea that the 'first half-time' of novelistic literature realises itself in what might be called postmodern literature. What Kundera is referring to in this claim is stated in the comprehensive work of René Wellek and Austin Warren as follows: 'literature reminding itself that it is but literature' (Wellek and Warren, 1955, p.232). One might also call this kind of literature 'authorial' in view of the explicit presence in it of both the author and the reader. It would be exaggerated to say that this sort of literature has disappeared since the nineteenth century. But there can be no doubt that it has become more marginal. The great objective novels of the following period were written by invisible hands and narrated by invisible - albeit omniscient - authors. Hence the readings of the writer became a secret; the concealment of literary technique entailed the concealment of the emulated literary models. The spirit of the narrative was no longer relativised and put to the test through interruptions, digressions, and various discursive engagements with future readers and past readings. What Jean Paul attributed to the 'naive' writers of old - namely, that 'they forget the narrator for the sake of the narrative' - has become a conscious aspiration of the generation following him. In Jean Paul, it was precisely the opposite aspiration that reached its flamboyant apex, producing an inexhaustible richness. Yet there is something wasteful in this abundance, something that Jean Paul's contemporaries tended to regard as the symptom of lacking taste. This judgement was shared not only by the proverbially 'cold' Goethe but even by Lichtenberg, whose admiration for Jean Paul was almost unparalleled, and who could be viewed as Jean Paul's predecessor and intellectual relative in a certain sense. Yet it was Lichtenberg who confessed that sometimes he found it unbearable that Jean Paul seasoned everything with Cayenne pepper.[23]

Yet the same feature which is perceived as a shortcoming in one period may appear purposeful in another. Indeed, even without the attribution of purpose, readers from another period may feel that the horizon of an author from a bygone period 'merges' with theirs. Attentive readers of the preceding argument will not be surprised to hear that I find this impression justified in Jean Paul's case. Jean Paul's reluctance to tell stories, the shadowy nature of his figures, the multiplications of the authorial subject projected by his works, the realisation of fiction and the fictionalisation of reality, the subversion of genre boundaries, the explicit integration of readings, the montage-like arrangement of quotations, the openness of interpretation, the predilection for diminution, humorous destruction and absurdity, the heteronomy of art - all these characteristics and the various other aspects I have been trying to illuminate compel me to say: here is an author from two hundred years ago whose postmodernity is much wilder and more colourful, more vibrant, more vigorously resounding than that of

our contemporary postmoderns. Indeed Jean Paul had to be forgotten before many a literary novelty could appear as an innovation to the reading public of our time. What is - one might ask - Pierre Ménard and all the masters of appropriation art next to Wutz or Fibel?

And yet - Jean Paul falls short of eliciting widespread current interest. This is so in spite of the recognition of literary history, in spite of the society named after him and the camp of outstanding specialists gathered around the yearbook devoted to his work.

Much of this, one may grant, is a matter of contingency. Why the masterpiece of literary history in which Peter Michelsen traces the path from Sterne to Jean Paul is not used as a constant point of reference by the author of *The Implicit Reader, The Act of Reading, The Fictional and the Imaginary*, why Jean Paul has never become a *Paradebeispiel*, like Fielding's works and Diderot's *Jacques le Fataliste,* of reception theory: this I cannot tell, not being familiar with the internal affairs of German literary scholarship.[24]

The accidental element has probably been even more dominant in the response of the broader audience, of the writers, critics, and readers encountering Jean Paul. And of course one can never rule out the 'anxiety of influence' highlighted by Harold Bloom. But a few suggestions of a more general scope can be made in response to the question concerning Jean Paul's reception.

Let's lift out two statements from their context and combine them in a somewhat objectionable manner, ignoring for a moment the fact that they crystallise contradicting impulses. Hans-Georg Gadamer writes that classics are works that are capable of transcending the historical distance separating them from us. Meaning and interpreting themselves, they become our contemporaries. Roland Barthes, on the other hand, writes that classics are texts that can no longer be rewritten in the act of reception. One might call Gadamer's notion of the classic 'hot' and the one proposed by Barthes 'cold'. Clearly, both notions designate the same phenomenon, and that is indeed why it is possible to recast the formula suggested by Barthes, saying something like this: a classic is a work which admits of a plurality of interpretations and adventures of reception, without such plurality being necessarily based on a compulsion to rewrite.

In this sense - and not only in this one - Jean Paul is not a classic. The manner in which he shaped his works strikes us as modern (in the sense of having affinity with our postmodern age), whereas we find the material he uses contingent. It is a paradox peculiar to Jean Paul that the very contingency of his material as a form-determining principle seems modern, while at the same time the material viewed merely as material, as empirical stuff, often appears rather antiquated. Hence what has become obsolete is

of contemporary relevance in fact, and we are compelled to rewrite the text. The point is not just that much of the encyclopaedic spirit in Jean Paul's texts appears as nothing but empty forms without detailed explanatory apparatus - after all, modern readers have grown accustomed to extensive commentary. In the case of Jean Paul, the reliance on it can even be viewed as an extension of his characteristic mode of creation. The need for rewriting, however, bears testimony to the fact that the work alone is in this case incapable of surmounting historical distance, and therefore its contemporary relevance is not simply given but rather it must be brought into consciousness in the first place. As a result, we rarely experience what might be called immediate pleasure in reading Jean Paul. As far as my own reading experience goes, this was the case when I read the beautiful epilogue to *Fibel* and, as a unique exception, *Wutz* in its entire length. Or - contradicting Schlegel - I could speak of the best part of Jean Paul's splendidly formulated *bon mots*, which give us the immediate pleasure of illuminating reflection - when, for instance, the hero's mother in *Quintus Fixlein* prepares the birthday celebration 'without witnesses - except for the few thousand readers who are looking in through the window with me'.[25]

There is something in the act of rewriting through reception, in the characteristic gesture of the reader who constitutes the text, in the primacy of the reader in the interaction between the poles of the reader and the text, which somehow reminds us of the contented activity of the merry masterkin in Auenthal, Maria Wutz:

> ...firstly, because other travelling journalists, too, often proceed with descriptions but not with the journey - and secondly, because any other production of travel accounts is plainly impossible, seeing that no travel writer ever did stand within or in front of the country he was about to silhouette: for even the dumbest remembers enough of Leibniz's predestined harmony to know that the mind, or let's say the minds of a Forster, a Brydone, a Björnstähl for instance [famous travellers of the time] - altogether sedentary on the insulating stool of the petrified pineal gland - can describe nothing of southern India or Europe but what each one thinks up by itself about them and which, with a total lack of external impressions, it reels and twines from its *five spinning mamillae*. So Wutz, too, extracted his travelogues exclusively out of himself. (Jean Paul, 1992b, p.87f)

Notes

1   See Goethe, 1902-1907, Vol. V, pp.218-221. For an interpretation of this comment and for a discussion of the relationship between Goethe and Jean Paul see Birus, 1985, p.103.

2 Schlegel, 1988, Vol. 2, p.150. In his *Gespräch über die Poesie* he admits that Jean Paul's novels are 'a colorful potpourri of sickly wit', yet he also writes: 'I daresay that such grotesques and confessions are still the only Romantic products of our unromantic period', ibid., p.209.

3 Soffke, 1966, pp.333-398. Soffke's findings have been used and subjected to ideology critique - inadequately in my view - by a kind of sociology of literature inspired by Marxism. See Lindner, 1971, p.131.

4 See Engelsing, 1973.

5 He had the following dream in 1807: 'Kotzebue told me a dream; he found a library which infinitely delighted him, whose treasures, however, he did not read. I explain this [in the following way]: since reading is a form of creation - this thought stems from Cicero - the dreaming soul, having divined the difficulty, preferred not to read.' Quoted in Soffke, p.340.

6 For instance, an anthology of his writings titled 'Blumenlese' appeared in 1816 in Pest, Hungary. See Ludwig Fertig, 1987, p.119.

7 Quoted in Soffke, p.343.

8 Dilthey, 1957, p.439. See Ludwig Fertig, 1989, p.93.

9 In *Quintus Fixlein*, there is a lexicon of German book subscribers (alphabetisches Lexikon von deutschen Bücherpränumeranten), where Jean Paul's name appears under the letter J. Siebenkäs proposes another work: 'which would *be ex professo* written for subscribers and contain nothing but the names of the selfsame, since after all, a reader no less than a writer longs with his Christian and his family name for the press and for posterity... The title reads: complete list of the subscribers to the complete list of the selfsame'. Quoted in Soffke, p.394.

10 Michelsen, 1972, p.334, Quoted in Wölfel, 1984, p.166.

11 See Gisbert Ter-Nedden, 1998, p.191.

12 Goethe did not so much represent the problem of Titanism as *thematise* it, in his *Faust*, in *Tasso*, and in *Werther* which was particularly important for Jean Paul.

13 See Schmidt, 1982, Vol. 1, pp.430-450.

14 See Schmidt, p.87, and Kurt Wölfel, 1974, p.290.

15 Jean Paul, 1992c, p.130. Contrary to his aesthetics, Jean Paul constantly mingled the low, the high and the medium register.

16 'It is not by accident that this name, which Richter formed and chose in analogy to Rousseau's 'Jean Jacques', absorbs, as it were, the ordinary name of the author and almost loses its pseudonymous character; it signals the restless transformation of the biographical 'I' into the literary 'I', a transformation that he shall pursue to the very end of his life' (Wölfel, 1993, p.279).

17 'The genesis of *Fibel*, this "book of books" metaphorically reflects the creation of readable contexts from a letter box, from the letter box of experiential data' (Schmitz-Emans, 1992, p.209).

18 Of the fifteen books listed from a total of hundred and thirty-five none is fictional. Josef Fürnkäs is right in calling *Fibel* a philological novel, in the sense of the philological progress report of a biographist or archival researcher (J. Fürnkäs, 1986, p.70).

19 As becomes clear from the notes to the critical edition, the maxim summarising the wisdom of the hero can also be traced back to various readings, such as Alfonso de Sarasa's *Ars semper gaudendi* (1664-67) and a work by Johann Peter Uz titled *Versuch über die Kunst, stets fröhlich zu sein* (1760). See Jean Paul,

1927, p. 469 (note 417); and see in greater detail Jean Paul, 1960, p.1266 (note 431) It is possible that the name Wutz was created by combining Uz and Witz.

20   Jean Paul, 1963, § 33, p.131. Quoted, in reference to another example (Fibel's non-existent grandchildren and grand-grandchildren) by Eduard Berend, 1927. See also Jean Paul, 1960, Vol. VI, p.1279.

21   Quoted in Wreen, 1983, p.199.

22   Wuthenow, 1974, p.314.

23   Lichtenberg, 1968, p.933. In a letter dated July 7, 1798, Lichtenberg writes with rather untypical enthusiasm of the unique combination of wit, fantasy, and feeling in Jean Paul's works, and he claims that he does not know of a greater creator of metaphors than Jean Paul; in Lichtenberg, 1972, V, p.988.

24   Not being a Jean Paul expert, I cannot rule out the possibility that some of the recent literature on him escaped my attention. In any case, I would like to take this opportunity to thank Eva Kocziszky, Zsuzsa Großmann-Vendrey and László Márton for sending me a number of works unavailable in Hungary from Wolfenbüttel, Frankfurt am Main and Berlin.

25   Quoted in Michelsen, p.340.

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10 Karl Mannheim and Georg Lukacs: The Lost Heritage of Heretical Historicism

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Karoly Mannheim and György Lukacs are two brilliant products of an (almost) vanished species: the assimilated Jewish intelligentsia of Budapest. Whatever their differences in character and orientation, there is a sort of subtle affinity between them, a similar *Denkstil* (to use a typically Mannheimian expression), rooted in the German romantic culture and its *Zivilisationskritik* of modern society in the name of pre-capitalist values.

This paper deals with Mannheim's relationship to Lukacs from 1910 until 1933. It will examine more briefly the Hungarian period of their friendship (1910-1919) because this has already been done remarkably well by David Ketller and Eva Karadi, and pay more attention to the Weimar years.

If the main issue of Georg Lukacs early writings is, as György Markus has so perceptively shown, the protest against the impossibility of culture in modern bourgeois society, and the attempt to find some sort of solution for this 'tragedy of culture', by overcoming the split between 'Soul' and 'Life', there is no doubt that the same problematic is at the centre of Mannheim's own early reflections (Markus, 1983). One can consider him, until 1918, as a sort of disciple of Lukacs, or at least, as someone fascinated by his thought.

In one of his (rare) mentions of Mannheim in his later years, Lukacs wrote in a letter to Frank Benseler (from 27.4.1961): 'I stood in a close relationship with Mannheim when he was a student, one could say my unofficial academic disciple (Schüler)' (Lukacs, 1974). Although slightly condescending, the statement is quite accurate and is confirmed by Mannheim's early letters to Lukacs. For instance, on July 3, 1910, the young student, then only 18 years, writes to his mentor: 'your guidance is invaluable to me at this stage of my development... Nothing shows the importance of your advice more than the fact that as of this summer my

studies have acquired a definitive direction'. He signs the letter with a formula that is more than mere politeness: 'Your respectful follower, Karl Mannheim'. A few years latter, Lukacs has sufficient confidence in his 'respectful follower' to propose to him the heavy task of translating the *History of the Development of the Modern Drama* from the Hungarian into German. Mannheim eagerly accepts the proposition (which failed to be implemented because of the irruption of the war) and adds, in his answer from July 25, 1914: 'your writings and your personality played a much greater role in my own development than you can possibly imagine' (Lukacs, 1986).

One year later, when Lukacs returned from Heidelberg to Budapest, Mannheim joined the famous *Sonntagskreis* (Sunday Circle) which met weekly around the author of *Die Seele und die Formen*, including people such as Bela Balazs, Arnold Hauser, Anna Lesznai, Bela Fogarasi, Friedrich Antal and Lajos Fülep. These strongly emotional discussions (almost religious in their intensity) among friends on literary, mystical and philosophical issues had a lasting impact on young Mannheim. In 1930 he recollects nostalgically the *Sonntagskreis* in a letter to Béla Balazs: 'life has granted me many unhoped-for gifts, but what it has never been able to replace are the old kinds of friendships' (Mannheim, 1985, p.16). A few years letter, he confessed to Lajos Fülep that he 'never and nowhere could be found the equivalent of what the Sundays' were' (Karadi and Vezer, 1985, p.10). It is probable that this experience inspired the formulation of his own version of Alfred Weber's theory of the *free-floating Intelligentsia*: in any case, Lukacs, Mannheim and their friends (the so-called *szellemkék*, from the Hungarian '*Szellem*', souls) were *free-floating* enough during those years (1915-18), even if most of them would soon actively join the Hungarian revolution of 1918-19.

One could consider the *Sonntagskreis* and its public extension, Budapest's *Freie Schule der Geisteswissenschaften* (Free School of the Humanities) as a peculiarly Hungarian version of the Romantic *Zivilisationskritik* dominant in Central Europe. In the struggle against the evolutionary scientism of Oscar Jaszi and his friends of the Social-Scientific Society, they drew on the refined and subtle 'German Ideology' brought by Lukacs from the Max Weber Circle in Heidelberg, and by Mannheim from the Simmel seminar in Berlin. Like their German counterparts, the *széllemkék* did not reject all aspects of modern society, but sympathised nevertheless with the Romantic (in the broad sense of 'Romantic anti-capitalism') cultural critique of bourgeois civilisation - a critical tradition that goes from Rousseau to Schlegel, and from Kierkegaard to Dostoyevsky (to quote some of the names mentioned by Mannheim in 1917). However, unlike the German mandarins, they were

not part of a privileged academic establishment and were not attracted by the nationalist dreams of an imperial power. Belonging to the 'pariah' (in Hannah Arendt's use of the term) Jewish intelligentsia, they admired democratic revolutionary ideas as embodied in Endre Ady's poetry, as well as Erwin Szabo's libertarian socialism. The combination of these elements helps to explain the stark difference between their political choices in 1918-19 and those of the German professors.

Mannheim was not just a follower of Lukacs: he soon became one of the leading figures of the *Geisteswissenschaftler*; as Arnold Hauser emphasised in an interview many years later, 'Karl Mannheim was, beside Lukacs, undoubtedly the most significant intelligence, an original thinker, even if, like more or less all, standing under the influence of Lukacs'. Bela Balazs, describing one of his first lectures at the Free School in his Diary (entry of May 28, 1917) is filled with wonder and admiration: 'Mannheim (...) gave a masterful, inspired and rich first performance of a person of emerging significance' (Karadi and Vezer, 1985, pp.101 and 114).

His programmatic lecture of 1917, *Soul and Culture*, reflects, as David Kettler has shown, both the consensus among the *Geisteswissenschaftler* and the strong influence of Lukacs on the whole group. Many of the topics in the lecture are taken from *Soul and Form*. There are two direct references to Lukacs in it: 'In his work on aesthetics Lukacs will demonstrate how the aesthetic attitude transforms the artistic creation into an inadequate cultural object and he will outline a whole system of aestethics as the fulfilment of such a possible approach'. Kurt H. Wolff, the editor of the German translation of this document in 1964, connects this passage, in an editorial footnote, to Lukacs' Hungarian article *Aesthetical Culture* from 1911, but this is incompatible with Mannheim's language about a future work. György Markus has shown that the whole conceptual apparatus of Mannheim's lecture has its source in Simmel and in Lukacs' early aesthetical manuscripts from Heidelberg (1912-14); obviously, it is to these texts, and in particular to the unfinished *Philosophie der Kunst*, that he himself is referring to in *Soul and Culture*. However, it would be a mistake to consider this document as a mere reproduction of Lukacsian ideas: the young Mannheim already had begun to formulate his own viewpoint. For instance, as Markus emphasises, the *Lebensphilosophische* tendencies are much stronger in his lecture than in Lukacs' early manuscripts.[1]

The other reference has to do, curiously enough, not with *Soul and Form* but with the sociological monograph on the history of drama. This

Hungarian work from *1909* (*A modern drama fejlödésének története*) was, as György Markus observed, the first attempt by Lukacs to relate the crisis of culture to the economic and class structure of modern bourgeois society (Markus, 1983, p.16). While rejecting *the theory of the superstructure*, Mannheim praises Erwin Szabo's lecture on Marxism, and presents Lukacs' *History of the Development of Modern Drama* as the proof that 'such a point of departure with its questions concerning the way social forms impact upon art can be fruitful'. Until 1917 Mannheim and Lukacs (probably under the influence of Simmel) seem to share a - rather narrow - understanding of Marxism not as a *Weltanschauung* or a political praxis, but mainly as a sociological method for understanding culture (Mannheim, 1964, p.81).

As we all know, this will radically change in 1918-19, when Lukacs decided to join the Communist Party in an act of almost religious conversion ('Saul became Paul' in Anna Lesznai's words) and became 'Peoples Commissar for Education and Culture' during the short-lived Hungarian Council's Republic. In fact, as Markus has convincingly argued, this is not so much a break with his early reflections, nor an 'irrational hiatus' in his development, but rather the attempt to find a theoretical answer and a practical solution to the issue that had been at the centre of his first writings: how to transform the social conditions in order to create once again the possibility for an authentic culture, embracing all the spheres of life and overcoming alienation (Markus, 1983, pp.15-21).

Mannheim was much less involved in the political events, but he also sympathised with the revolution and was nominated by Lukacs Professor for *Kulturphilosophie* at the University of Budapest. Thanks to Eva Karadi and Erzsebet Vezer, we have now at our disposition the main content of his lectures on 'The Fundamental Problems of the Philosophy of Culture' during the months of May-June 1919. This is a quite suprising document: curiously detached from the political events unfolding in the streets during these fateful days, he deals with Nature and Culture, Culture and Civilization, and even with etiquette as a social-cultural phenomena. However, at one of the last meetings (on 6.6.1919), we find a sort of revolutionary credo - or at least the nearest thing to such that was ever produced by Mannheim. While expressing his support for the revolutionary process taking place in Hungary, the young philosopher of culture nevertheless points, with astonishing insight, to the key contradiction of such a movement: 'A revolution has to be prepared for the eventuality that the institutions, for the creation of which the struggle goes on today, again develop into ends-in-themselves. As long as we do not arrive at the paradisiac condition in which there are no institutions, there will always be revolution, aiming not at the destruction of men but at the destruction of

institutions which have become ends-in-themselves, in order to create new ones' (Karadi and Vezer, p.226). In fact, this formulation is directly inspired by Lukacs' lecture on conservative and progressive idealism (1918), where he insisted that 'every institution that has become a value-in-itself is conservative, this circumstance permits to explain not only the reactionary politics of the church..., but also the stagnation of originally strong progressive movements in so far as the institutions created by them as means succeed to become such an end for its own sake' (Karadi and Vezer, 1985, p.253).

In any case, there is no indication in the content of Mannheim's lectures, that he changed his basic philosophical ideas, inspired, as he emphasises in his first lecture, by Rousseau, Goethe, Schiller, Tolstoy, Nietzsche and the Heidelberg School around the journal *Logos* (*Internationale Zeitschrift für Philosophie der Kultur*, published, among others, by Edmund Husserl, Friedrich Meinecke, Heinrich Rickert, Georg Simmel, Ernst Troeltsh, Max Weber and Heinrich Wölflin) or that he adopted the Marxist method, like his friend and mentor now promoted People's Commissar.

A few weeks later (August 1919) the revolution was defeated and the authoritarian (and anti-semitic) Admiral Horthy became head of the State. Like a hundred thousand other Hungarians, Karl Mannheim fled the country and went into exile, at first in Vienna, where he lived for several weeks in the barracks of a refugee camp. Anna Seghers describes him (under the name of 'Doktor Steiner') in her novel *Die Gefährte* (1932) as a sceptical figure, unwilling to share the revolutionary commitment of his fellow exiles, and deciding to leave Vienna as soon as possible to establish himself 'in a small German university town'.[2]

In fact, after a short stay in Freiburg and Berlin, Mannheim decided to remain in 'a small German university town': Heidelberg. It is not irrelevant to note that his first publication in German is a review of Lukacs' *Die Theorie des Romans*, which appeared in the Journal *Logos* in 1921. In a typically Romantic way, Mannheim celebrates the book as a welcome return to the true method of cultural interpretation, the pre-Cartesian spiritualist holism: 'The middle ages always sought to choose a way proceeding from the high to the low, it was first Descartes who laid down the fateful principle that the whole is to be derived from the parts, the higher from the lower (...). Lukacs' book, choosing the correct method, is an attempt to interpret the aesthetic formations, particularly the form of the novel, from a higher standpoint, from that of the philosophy of history (Mannheim, 1964, p.88). There is however an ironic moment in this article,

probably unconscious to its author, insofar as its sharp critique of any 'sociology of culture' which would attempt to explain cultural forms 'from the lower to the higher', is implicitly contradictory with the new (ie. Marxist) methodological options of his friend.

In the Viennese exile, most of Lukacs' friends continued to meet around their mentor, continuing the tradition of the Sunday Circle; a notice in Bela Balazs' Diary from 1921 offers a glimpse on the first disagreements with Mannheim: 'I have to write in regard to Mannheim and Hauser. They widthdraw themselves from Sunday as this committed itself to the communist revolution'. And a few paragraphs later: 'Mannheim could return to us but Hauser is of no use to anybody' (Karadi and Veszer, pp.126-127). In any case Mannheim, already living in Heidelberg, did not take part any more in the activities of the *Sonntagskreis*, although he kept friendly contacts and correspondence with several of its members.

Mannheim's metaphysical idealism had definite Romantic roots, in its adamant opposition to the Cartesian and scientific worldview, and its nostalgia for pre-modern styles of thought; it was however poles apart from the historicism that will characterise his later writings. If one examines the *Soul and Culture* lecture (1917), or his doctoral thesis. *The Structural Analysis of Knowledge* (written in 1918), or the Lukacs' *Review* of 1921, one is struck by the frequent references to 'timeless themes', 'absolute situation', 'eternal human problem', 'Aristotelian species', 'static logic', 'the supra-historical', and so on (Mannheim, 1964, pp.69, 70, 90, 200).[3] In an homage to the recently deceased Georg Simmel, published in 1918 in Hungary, Mannheim, while recognising the remarkable sensitivity of his former teacher, sharply criticises him for his scepticism, his relativism, his inability to proclaim a metaphysical truth (Karadi and Veszer, 1985, pp.150-153).

The turning point seems to have been the period 1923-24, when Mannheim writes the brilliant essay *Historicism*, under the direct impact of Troeltsch's book *Historicism and its Problems* as well as of Georg Lukacs' *Opus Major - History and Class Consciousness*. Is it an internal evolution of Mannheim's thought, a progressive ripening, or a sudden illumination thanks to these two books? In any case, from that moment on and during the following ten years, Mannheim will radically break with his metaphysical and ahistorical quest for the 'absolute' to resolutely embrace historicism and even, to a certain extent, relativism.

Considering the extraordinary impact of *History and Class Consciousness* on a whole generation of Central European intellectuals, it is not surprising that Mannheim would be among those who significantly re-oriented their way of thinking after the publication of the book. There exists a curious document of his first reaction to it: I found in his personal

copy of Troeltsch's work (conserved by the Library of the Hebrew University in Jerusalem, to whom he donated all his books) an interesting marginal note. Protesting against Troeltsch's argument (Troeltsch, *Der Historismus und seine Problem*, 1922 p.360) that there exists no serious work dealing with Marxist dialectics from a philosophical standpoint, Mannheim wrote a name in the margins: 'Lukacs'...

Although the *Historicism* essay deals mainly with Troeltsch - which is understandable, considering that it was written for the *Archiv für Sozialwissenschaft und Sozialpolitik* (the Academic journal founded by Max Weber) - Lukacs' ideas are very much present in it. In a footnote, Mannheim explains that he could as well have written the essay around *History and Class Consciousness*; emphasising that 'in the present, the activist-progressive tendencies develop and absolutise rational dialectic', and he refers to Lukacs' book as 'the deeper and most significant of all these attempts'. He then adds a brief comparison of both works: how historicism dominates our contemporary thinking and generates problems, as we have elaborated them on the basis of Troeltsch, could also be confirmed by a comparison with this book. We could have presented the fundamental problems of historicism, which we have set out particularly in the first two chapters, just as well by basing ourselves on Lukacs' book. It would be a rewarding attempt and a contribution to the 'sociology of thinking' to investigate the sociological differentiation of the same problems as it occurs with authors having different social and political orientation by a comparison of these two books (Troeltsch's and Lukacs'). 'The different attitudes to the irrational, the more or less great positivity and resoluteness in the historical dialectic and so on, would manifest themselves as determined by the social and political position while one should not overlook the significant affinity in the ultimate points of departure' (Mannheim, 1964, p.296).

It is not difficult to guess that in this parallel it is Lukacs that represents the greater 'resoluteness in historical dialectic'. Moreover, Mannheim goes beyond the Troeltschian historicism in so far as he insists (following the Marxist approach) that knowledge is bound (*verbunden*) to 'certain social layers and tendencies of movements'. However, it is obvious that Mannheim is following his own way, and that his relativist historicism is poles apart from Lukacs' dialectical/revolutionary option for the proletarian standpoint.

His next writing, a manuscript from 1924 that will remain unpublished (until many years after his death), *A Sociological Theory of Culture and its*

Intelligibility (*Erkennbarkeit*), is even more explicit, by linking, through 'sociological imputability' the 'natural scientific rationalism' of modern society to the 'capitalist spirit' and even to the 'spirit of the rising bourgeoisie'. A footnote to this passage refers clearly to the Marxist tradition: this had already been seen by Marx, and Lukacs had worked out this in his essay *Reification and the Consciousness of the Proletariat*. The Lukacsian concept of *reification* is often used in this work to explain the relationship between the quantifying ethos of the capitalist way of life and a certain form of *rationalism*. Romanticism, identified (in a too one-sided way) with conservativism, and the proletarian new rationality are presented as the main historical opponents of the bourgeois/rationalist styles of thought. Mannheim insists on the common ground between these two politically hostile forms of thought: 'Proletarian thinking has in many things a significant affinity with conservative thought, an affinity which, even if they flow from polarly opposed positions, nevertheless represents in common with conservatism and reaction an opposition against the bourgeois capitalist will to the world (*Weltwollen*) and its abstraction'. In fact, this argument is much more relevant to the Lukacsian version of the 'proletarian thinking' (which is already a subtle combination between Marxism and the German Romantic *critique of civilisation*) than to the official doctrine of the Marxist labour movement at that time (Mannheim, 1982).

This parallel between the Romantic/Conservative and the *Marxist style of thought* appears again in Mannheim's *Habilitationschrift* from 1925, which is probably one of his most brilliant works: *Conservatism: A Contribution to the Sociology of Knowledge*. But this time the comparison refers directly to Lukacs: 'Also here one finds an extensive agreement between "right" and "left" opposition' to the bourgeois rationalist world. Thus, for example, the criticised prominence of the calculative and contemplative character of capitalist attitudes of the subject, amongst others also correctly in Lukacs', *History and Class Consciousness* (p.109).[4]

This argument is not used here, as is so often the case, in order to denounce the 'complicity of the extremes' (right and left) against the moderate and reasonable liberal worldview. On the contrary, it is obvious from the text - in spite of its careful *value free* language, as required for an *Habilitationsschrift* - that the author has strong affinities with the Romantic/historicist critique of the reified, quantifying and calculating *style of thought* (*Denkstyl*) of bourgeois rationality. This does not mean that he agrees either with the conservative or with the revolutionary perspectives: he is only interested in 'rescuing' the powerful cultural and methodological insights shared by them.[5] What is strange is that Mannheim insists in characterising this sort of *style of thought* as 'conservative', although he

notices that it is also shared by Marxists, as well as, to a certain extent, by historicist sociologists like himself. In fact, the phenomena analysed, and subtly 'rehabilitated', in this remarkable piece of creative *sociology of culture* is the *Romantic worldview* - which can take several political forms, conservative or revolutionary, utopian or resigned (among others).[6]

What were the personal and intellectual relations between Mannheim and Lukacs during the Weimar years? There is no doubt that there existed a growing estrangement; according to Arnold Hauser's recollections, 'In the beginning the relationship (between Mannheim and Lukacs) was very close. One discovered in Mannheim a new, great talent, highly estimated, perhaps overestimated him... . In the course of time, later in Germany and particularly in London, this prestige had diminished ... As a matter of fact, the relation had cooled down and in the end almost transformed itself into an animosity' (Karadi and Veszer, p.102). However, as late as 1927, the two still met, at the house of their common friend Anna Lesznai, to discuss and exchange ideas. Thanks to her diary, we have the summary of a fascinating debate between them on the most controversial issue of all: Communism! 'Mannheim and Lukacs debated Communism'; argued whether rationalism brought to completion in Communism actually stood in opposition to those organic and dynamic values which Romantic critique demanded and defended. Lukacs denied it, or rather asserted that what is desired by him (to give labour meaning) is not romantic.... . If the whole is rationalised, then *ratio* has another value and meaning than today.... . They spoke about the hypertrophy of bureaucracy, over the mechanisation of life. Anna Lesznai seems to hesitate between both arguments: she grants Lukacs that once the workers participate in the organisation of the whole process of production, even partial work has a different meaning, but she nevertheless regrets 'the lost unity of peasant and artisan work' and she agrees with Mannheim that 'through these Taylorist tendencies of Communism' the 'unity of work is lost' (Karadi and Veszer, pp.139-140). What is particularly striking in this debate is that Mannheim's critique of Communism is not formulated in liberal-democratic terms, but in reference to the 'organic' ideals of the Romantic *Zivilisationskritik* which he and Lukacs shared in their youthful years. Lukacs' answer, however, is couched in a strict rationalist language, rejecting Romantic criteria (he was begining at that moment his anti-Romantic turn): dialogue is almost impossible.

In any case, whatever their political or philosophical disagreements, Mannheim still considered Lukacs as a key thinker; after his appointment as *Privatdozent* in Heidelberg, he dedicated his first year as a lecturer

(1926-27) to a course on Lukacs' writings and particularly to *History and Class Consciousness* - a quite courageous act, considering the rather conservative atmosphere of the German Academia.[7]

In fact, Karl Mannheim's major work *Ideology and Utopia* (1929), owes much more to Lukacs, in its conceptual and methodological apparatus, than the few direct references to him would suggest. For instance, *the* central sociological question of the book is a typically 'Lukacsian' one: 'Once this inversion has been accomplished, in so far as one departs from the fact that historical knowledge is essentially relational, is formulable only in a positionally determined way (standortgebunden), then, no doubt, again emerges the problem of the decision concerning truth, for after all one will question which position has the greatest chance for an optimum of truth'. His answer to this question seems also, at certain moments, to be very near to the one presented in *History and Class Consciousness*. First of all in his critical assessment of the bourgeois standpoint: 'Bourgeois consciousness had a socially vital interest in masking the limits of its own rationalisation from itself by this intellectualism and to act as if real disputes could be fully settled by means of discussion'. But also in his argument for the superiority of the socialist/Marxist standpoint: 'here again comes to light how socialist thought had struck just where the bourgeois democratic had its limits, and how it would be clearsighted anew precisely in respect of those phenomema which previous thinking had left in the dark' (Mannheim, 1936).

However, as we know, Mannheim did *not* follow the Lukacsian Marxist option, but struck a new, original and brilliant solution: the best chances for knowledge are those that result from *a dynamic synthesis* of the various standpoints and perspectives, whose *bearer* would be the *free-floating intelligentsia*. This is not the place to discuss the problems raised by this theory,[8] but it would be relevant to find out how it relates to the Lukacsian viewpoint. Mannheim's main argument against Marxism is borrowed from Max Weber's famous image of the horse drawn cab (*Fiaker*): 'The materialist interpretation of history is not to be compared to a cab that one can enter or alight from at will, for once they enter it, even the revolutionaries themselves are not free to leave it. The analysis of thought and ideas in term of ideologies is much too wide in its application and much too important a weapon to become the permanent monopoly of any one party. Nothing was to prevent the opponents of Marxism from availing themselves of the weapon and applying it to Marxism itself (...) As sociologists there is no reason why we should not to apply to Marxism the perceptions that it itself has produced, and point out from case to case its ideological character' (Mannheim, 1936, pp.67 and 111).

There is no doubt that this argument is quite relevant in relation to the dominant tendencies in the 'orthodox' Marxism both of the Second and the Third Internationals, which, under the strong influence of positivism, presented historical materialism as a pure 'science', free from any ideological (or utopian) elements. There exists however at least one example of a Marxist philosopher who takes a historicist stand and does not refuse to apply Marxism to itself, therefore presenting it as the imputed consciousness of the proletariat: Georg Lukacs. Curiously enough, Mannheim does not discuss, in *Ideology und Utopia*, this historicist, non-positivist variant of Marxism, which is in fact beyond the reach of Weber's *cab* metaphor.

Lukacs' name appears in another context in *Ideology and Utopia*: after describing the parallel decline of Utopia and of the total viewpoint in contemporary times, Mannheim points to two exceptions: 'Only the left and the right wing believe that the whole developmental process constitutes *ontically* a totality. On the one side the neo-marxism of a Lukacs with his fundamental work, on the other side the universalism of a Spann' (Mannhiem, K., 1936, p.217). Lukacs probably did not appreciate the parallel, since at the same moment (1928) he had written a sharply critical review of Othmar Spann's *Doctrine of Categories*, which he denounced not only for his conservative/catholic '*estate Weltanschauung*' but also for being apologetic of capitalism.[9]

In any case, Mannheim is still so interested, even fascinated, by Lukacs' major work that in February 1929, in his capacity as lecturer at the University of Heidelberg, he held a seminar, together with Alfred Weber, on *History and Class Consciousness*. Interestingly, this lecture (preserved in the notes of a student, Heinrich Taut) deals at least as much with what he had in common with Lukacs and with the Marxist standpoint as with his disagreements. He even goes as far as criticising Lukacs for limiting the validity of historical materialism only to the capitalist era! 'Dr Mannheim on his side adjudges in respect of the capitalist epoch the preference of validity to the Marxist intepretation of history and would allow economism a preferential heuristic value also in respect of the pre-capitalist epochs, too.' Moreover, he thinks that Marxism, as 'activist thinking', has 'the maximal chances of truth...in regard to the knowledge of all that is rationalizeable and controllable in history'. Surely, the world is not only struggle, as the Marxists claim, nor only form (*Gestalt*) as the bourgeois thinking would have it; 'but it is even predominantely class struggle, more so than man first thought'.

His main difference with Lukacs has to do, of course, with the proletarian option of the Marxist philosopher: 'The stream of thought has indeed been divided however, it is not the proletariat alone who has a chance of truth, as Lukacs maintains, but every position of thought for its own part has such a chance'. The solution lies in the overcoming of the 'mediationless dividedness of the standpoints of thought' through the sociology of knowledge (Karadi and Veszer, pp.298-303).

The last significant reference to Lukacs in Mannheim's Weimar writings is to be found in the article from 1931, *Wissensoziologie*, later included in the English version of his book. In a rather ellyptic formulation Mannheim criticises the Lukacsian conception but does not really develop his argument: 'The method of the sociology of knowledge was worked out in a more refined manner on two main lines: the first was through Lukacs, who goes back to Marx and who elaborates the fruitful Hegelian elements contained in the latter. In this manner he arrived at a very fertile, but one-sidedly constructive and dogmatic solution of the problem suffering from the hazards of a given philosophy of history'. Why is Lukacs' position a onesided 'construction'? Why does his philosophical conception prevent a solution of the problem? Mannheim's only answer is that Lukacs 'still remains completely within the Marxian project, in so far as he failed to distinguish between the problem of unmasking ideologies on the one hand and the sociology of knowledge on the other'. This is of course the main argument of *Ideology and Utopia*, but Mannheim does not attempt to discuss its relevance for Lukacs' own historicist brand of Marxism (Karadi and Veszer, pp.266-267).[10]

It is usually said that after his emigration to England, Mannheim progressively abandoned his former views, to embrace a more 'Anglo-Saxon' pattern of social sciences. It should be stressed, however, that in 1932, while still in Germany, Mannheim had already distanced himself from his former historicist standpoint. In the large essay *The Contemporary Tasks of Sociology* he indulges in a thorough self-criticism, rejecting what he calls 'the exaggerated (*übertonten*) historicism' of his former writings, as well as the sharp opposition between *Naturwissenschaften* and *Geisteswissenschaften*, and the historicist critique of positivism. What could be the reasons for such a radical turn? Mannheim only says that this change of mind resulted from 'long reflections'. According to David Kettler and his colleagues, this essay was 'clearly written in the light of the political situation in 1932 and his sense of his responsibility to sociology as a discipline still in search of legitimacy, especially in the judgement of the educators to whom the overview was delivered'.[11] I'm not really satisfied by this explanation - why did the political situation at that moment (crisis of the Weimar Republic, growth of the Nazi movement) require giving up

historicism? And why should Mannheim feel more responsible for the legitimacy of sociology in 1932 than in 1929? - but for the moment I do not have a better one to propose.

In 1933, Mannheim, as many other Jewish or anti-fascist intellectuals, left Nazi Germany. His writings in England (1933-1947) belong to a different chapter of his intellectual evolution, which is beyond the scope of this paper. From that moment on, the name of Lukacs hardly ever appears in his books; he does not refer to it either in *Man and Society in the Ages of Reconstruction* (1935), or in the introduction to the English edition of *Ideology and Utopia* (1936). If *History and Class Consciousness* is mentioned in his posthumous volume *Freedom, Power and Democratic Planning*, it is only in a footnote, in order to illustrate the logic of communist dictatorship (Mannheim, K., 1950, note 11, Chapter 2).

A few years later, Lukacs publishes his *The Destruction of Reason*, which dedicates a few pages to the criticism of his former student and friend, dealing mainly with *Ideology and Utopia*. To say that his arguments are dogmatic would be an understatement. He first sees in Mannheim an example of how bourgeois sociology had to accept the social determination of consciousness, and was therefore 'in this question forced to capitulate to historical materialism' - a strange way of acknowledging the importance of Marxism in Mannheim's book! He then proceeds to accuse him of 'a projection of irrationalism into historical materialism', of having 'kierkegaardized the dialectic so concrete in Marxism', and finally of representing 'a sociologised sociology of existence à la Jaspers-Heidegger' (sic). In fact, his critique of Mannheim's *Wissensoziologie* is not based on his own former historicist position in *History and Class Consciousness*, but on a much more 'orthodox' (according to the official 'Marxism-Leninism') view of the 'objective truth' as 'the correct reflection of objective reality'. He rejects Mannheim's relativism or relationism - whose difference is not greater than the one between 'the yellow and the green devil' - as agnosticism and 'irrationalist philosophy of life'. And of course he rejects Mannheim's claim for the cognitive privilege of the free-floating intelligentsia - but without really discussing the arguments presented in *Ideology and Utopia* to ground this claim (Lukacs, 1955, pp.500-507).

The distinctive methodological quality of Lukacs' and Mannheim's writings during the Weimarian period consisted in their attempt to articulate Historicism and Marxism - obviously in different ways, since the philosopher privileged the second method, and the sociologist the first. Almost at the same time - Mannheim in 1932, Lukacs in 1934 - both went

through a purifying ritual of 'self-criticism', rejecting, to a greater (Lukacs) or lesser (Mannheim) extent their former writings, and taking a new, much more orthodox orientation, in conformity with the established canons of Soviet Marxism (Lukacs) and Anglo-Saxon science (Mannheim).[12] Of course, they never succeeded in entirely adapting themselves to their environments and their later writings still retained something of the former spirit. Moreover, they were never really accepted by the leading lights of their respective 'camps', which always held them in suspicion for various dangerous deviations (idealism, revisionism, relativism).

In any case, if there is still an interest, in this begining of the 21st century, in Lukacs and Mannheim, this happens mainly thanks to their unorthodox, historicist and heretical writings from the 1920's.

Notes

1   See David Kettler, 'Culture and Revolution: Lukacs in the Hungarian Revolution of 1918', *Telos*, No. 10, Winter 1971, p.63; Karl Mannheim, 'Seele und Kultur', in *Wissensoziologie* hrsg. von Kurt H. Wolff, Neuwied, Luchterhand, 1964, p.79; György Markus, 'Lukacs "erste" Ästhetik: Zur Entwicklungsgeschichte der Philosophie des jungen Lukacs', in A. Heller, F. Feher, G. Markus and S. Radnoti, *Die Seele und das Leben. Studien zum frühen Lukacs*, Frankfurt am Main, Suhrkamp, 1977, p.230.

2   Anna Seghers presents the following speech as typical of 'Steiner', in dialogue with a Communist friend ('Bato') - probably a member of the *Sonntagskreis*: 'What am I truly waiting for'? What a thing it really is, this world revolution ? If we disregards the bread which we all will have enough - will then be the path between life and death more passable (...), will death became more a trifling thing and shall I be less alone? 'Auf was warte ich eigentlich? Was ist das eigentlich für ein Ding, Weltrevolution? Abgesehn von dem Brot, das wir alle genug haben werden - wird der Weg zwischen Leben und Sterben gangbarer sein (...), wird der Tod geringfügiger sein und werde ich weniger allein sein?' Anna Seghers, *Die Gefährten*, Berlin, Aufbau Verlag, 1979, p.34. The identification of 'Steiner' as Mannheim is suggested by Henk Woldring, *Karl Mannheim. The Development of his Thought*, Assen/Maastricht, Van Gorcum, 1986, p.17.

3   There are several explicit or implicit references to Lukacs' early aesthetical writings both in *Strukturanalyse der Erkenntnis*, (1918), and in *Beiträge zur Theorie der Weltanschauungs-Interpretation* (1921). As Markus emphasises, the questions raised by Mannheim are similar to those already present in Lukacs, but the answers he provides are different. See G. Markus, 'Lukacs 'erste' Aesthetik...', pp.230-231.

4   See Karl Mannheim, *Konservatismus: Ein Beitrag zur Soziologie des Wissens*, (hrsg. von David Kettler, Volker Meja und Nico Stehr), Frankfurt am Main, Suhrkamp Verlag, 1984, p.262. In the meantime this has been translated as *Conservatism : A Contribution to the Sociology of Knowledge* (ed. Kettler, D. et al., Routledge and Kegan Paul, London, 1986). See also the parallel between the critique of *Verdinglichung* in the bourgeois rationalisation by the

5   *Lebensphilosophie* and by Lukacs on pages 183 and 263. Only one chapter of this thesis had appeared in 1927 until D. Kettler and his friends discovered the original manuscript at the University Library of Heidelberg and published it.

5   A similar argument is made by D. Kettler and his friends: 'Read from within a conservative 'style of thought', his findings concerning the genealogy of historicist thinking appear as a legitimation of that thinking, including its appearance, in a dramatic change of function, as the method of modern revolutionary thought'. See D. Kettler, Volker Meja, Nico Stehr, *Karl Mannheim*, London, Tavistock Publications, 1984, p.44.

6   I permit myself to refer, in this precise context, to my own work (with Robert Sayre), *Revolte et Melancolie. Le romantisme à contre-courant de la modernité*, Paris, Payot, 1992.

7   See Henk E.S. Woldring, *Karl Mannheim: The Development of his Thought*, Assen-Maastricht, Van Gorcum, 1986, p.35 and D. Kettler, V. Meja und N. Stehr, 'Mannheim und der Konservatismus. Über die Ürsprünge des Historismus', in K. Mannheim, *Konservatismus, Ein Beitrag zur Soziologie des Wissens*, Frankfurt am Main, Suhrkamp Verlag, 1984, p.19.

8   I've tried to do this in my book *Paysages de la Verité. Introduction à une sociologie critique de la connaissance*, Paris, (ed.) Anthropos, 1985.

9   See G. Lukacs, 'Othmar Spann: Kategorienlehre', in *Werke*, Band 2, Neuwied, Luchterhand, 1968, pp.689-674.

10   See also *Ideology and Utopia*, p.279

11   See Karl Mannheim, *Die Gegenwartsaufgaben der Soziologie*, Tübingen, J.C.B. Mohr, 1932, pp.11-13 and D. Kettler et al., *Karl Mannheim*, p.79.

12   We have seen above Mannheim's self-criticism in the essay *Die Gegenwartsaufgaben der Soziologie* (1932); Lukacs categorically rejected *Geschichte und Klassenbewusstsein* as a dangerously 'idealist' work at a public lecture in Moscow in 1934 (see G. Lukacs, 'Die Bedeutung *von Materialismus und Empirokritizismus* für die Bolchewisierung der kommunistischen Parteien', *Pod Znamenem Marxisma*, Moscow, 1934). As it is well known Lukacs refused to have his opus from 1923 re-edited or translated. Mannheim accepted thetranslation of *Ideologie und Utopie* into English (1936) but he modified its terminology (to make it more 'understandable' to the Anglo-Saxon public) and added an introduction developing a changed position.

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11 Seeking Common Ground in Ethics

PAUL CRITTENDEN

George Markus is a philosopher who resists generalisations. His work is historically informed in a remarkable way and he has a strong sense of the particularities of different times and places in the history of thought and culture. In his teaching and writing he exemplifies the words of Shakespeare (in *King Lear*): 'I will teach you differences'. This is not to suggest that he is averse to acknowledging the presence of common threads where appropriate or finding a place for generality. But broad agreement with Plato's view that 'the same' and 'the different' are basic ideas in philosophical inquiry may cover many differences.

A Case Study and a General Guiding Principle

In inquiring about common ground in ethics, I will take my starting point from a nineteenth century House of Commons Report - in full the *Report from the Select Committee on Aborigines (British Settlements)* - which was published in June 1837.[1] With reference to the original inhabitants 'in and adjacent to' British colonies throughout the world, the report argued that Britain's conduct had been morally reprehensible and, indeed, little short of calamitous in its disregard for equity and justice. The great abuse of justice, and the likelihood of continuing abuse, was attributed to one major factor:

> It might be presumed that the native inhabitants of any land have an incontrovertible right to their own soil; a plain and sacred right, however, which seems not to have been understood. Europeans have entered their borders uninvited, and, when there, have not only acted as if they were undoubted lords of the soil, but have punished the natives as aggressors if they have evinced a disposition to live in their own country...

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From very large tracts we have, it appears, succeeded in eradicating them; and though from some parts their ejection has not been so apparently violent as from others, it has been wholly complete, through our taking possession of their hunting grounds, whereby we have despoiled them of the means of subsistence.[2]

The report was in large measure the work of Thomas Fowell Buxton, a Quaker and brewing magnate. Buxton had played a major part in the anti-slavery campaign that finally led, in 1834, to the formal abolition of slavery in British possessions. Soon afterwards he took up the related issue of justice for the original inhabitants of the lands over which Britain had taken sovereignty. But while observing, in reference to New South Wales in particular, that 'in the recollection of many living men every part of this territory was the undisputed property of the Aborigines', Buxton did not suppose that the land could, or would, be returned to its identified rightful owners. The Parliamentary Report took a more modest line in arguing merely that some part of the immense revenue which the NSW Treasury had raised through land sales to squatters should be used for the protection and education of Aborigines.

The ethical standpoint in Buxton's Report, admittedly a flawed ideal, was strongly supported by Lord Glenelg, the then Secretary of State for the Colonies, and also by the Colonial Under-Secretary James Stephen; and it was taken up *in situ* by George Gipps, the newly appointed Governor of NSW who arrived in Sydney in February 1838 with the Select Committee Report on Aborigines in hand. Gipps' efforts to implement its proposals in the following years were to meet considerable resistance from the landholders and the military, and the new outback police force which was largely funded by the white settlers and served to protect their interests against the Aborigines. What the 1837 Report reflected, broadly, was a Quaker-type belief in the equality of human beings under God or similar religious-inspired or enlightenment-based moral convictions about the 'brotherhood of man'. This reflected in turn convictions about a common human nature and common values, an idea of equity and justice in particular, as holding across otherwise very different societies.

In this spirit, Governor Gipps espoused the equality and rights of Aborigines before the (colonial) law while recognising their right to a different way of life. This was expressed in an official Notice which was eventually published in May 1839, in response in part to the massacre of a large number of blacks who had been killed by a party of troopers in January 1838 at a place to be known as 'Waterloo Creek'. According to the Notice:

As Human Beings partaking of our common nature but less enlightened than ourselves, as the original possessors of the soil ... [the Aborigines] have a right to be secured in the enjoyment of their personal liberty, and even in the continuance of their own ancient usages, wherever these do not interfere with the rights or safety of their more civilised Fellow Subjects.[3]

This is an interesting passage at a number of levels. From a comparatively enlightened standpoint, the common values which ground decency on the part of Europeans in the treatment of Aborigines are announced from a position of authority; they are expressed paternalistically in European categories of rights and personal liberty associated with entitlement to land; and the acknowledgement of rightful difference in the continuation of ancient practices is made from a position of assumed superiority. These considerations have bearing, as we will see, on some of the underlying problems involved in interpreting other cultures and thinking about ethical similarities and differences within and across cultures.

In commenting on the interpretative study of culture, the anthropologist Clifford Geertz says that 'to see others as sharing a nature with ourselves is the merest decency'. He goes on to say that there is also the task of 'seeing ourselves amongst others, as a local example of the forms human life has locally taken, a case among cases, a world among worlds'. The latter task, he suggests, is a more difficult achievement which is nonetheless necessary if we are to have 'the largeness of mind, without which objectivity is self-congratulation and tolerance a sham' (Geertz, 1985, p.16).

The disposition to see others as sharing a nature with us - however the 'we' is defined - may take the form of listening to the others, seeking to relate to them with fairness and decency, and hoping to be treated similarly in return, along with recognising that their way of life and their values may be radically different from our own. It may also take the prejudicial form of privileging our own ethical concepts and beliefs in a way that leads us to project them on to other cultures, and then to suppress difference in the 'discovery' of common ground (thus offending against the second of Geertz' requirements that we see ourselves as a local culture among others). Some commentators may say that this is characteristic of attempts to interpret the way in which people of a different culture interpret ethical situations: we are drawn to think that they are bound to see things at some important level in the way we do. Thus, one takes elements of one's local perspective, assumes that they are universal, and 'reads' them into one's account of how the others see ethical situations in their own culture.

On the other hand, there is a longstanding conviction in many different cultures to the view that the other is bound to be different. The general idea

is echoed in ancient Chinese thought on the lines that 'if he is not of our race, he is sure to have a different mind'. Early in the modern era, Montaigne observed that 'each man calls barbarism whatever is not his own practice; for indeed it seems we have no other test of truth and reason than the example and pattern of the opinions and customs of the country we live in' (Montaigne, 1965, p.152). Again, the new age of discovery was accompanied by a widespread belief in strange races of human beings, especially at the world's extremities (tales of 'the Anthropophagi, and men whose heads do grow beneath their shoulders' to which Othello alludes (*Othello*, Act 1, scene iii, pp.144-145). Or, to take a quite different example, Nietzsche's Zarathustra proclaims that ethical difference on ethnic grounds is a commonplace of ethical experience: 'One neighbour never understands another: his soul was always amazed at his neighbour's madness and wickedness' (Nietzsche, 1961, p.58). In short, while the prejudice associated with privileging local ethical views may show up in the conviction that we have common ethical ground with the other, it may show up equally in the conviction that we are entirely different, separated by chasms with perhaps nothing in common. Furthermore, difference of this kind is characteristically identified from a position of assumed superiority and is marked, not infrequently, as the sophist Protagoras noted long ago, by limited sympathy for, or even hostility towards, the other precisely because of difference.

The Minimalist Approach to Common Ground

What is involved in seeing others as sharing a nature with us? The most obvious bearing of the idea is practical, relating to the adoption of mutually appropriate and desirable forms of behaviour. But what is the basis for expectations or hopes of this sort? What sort of framework does sharing a nature presuppose or indicate? What are we taken to have in common and what bearing might this have for ethics beyond local beliefs and practices? Bernard Williams, for example, espouses Geertz's principle, but argues that it does not lend support to the idea that different peoples have anything in common in a substantive or determinate sense at least in the domain of values (Williams, 1995, p.142). His contention is that, in seeking to give an account of the beliefs and way of life of the others, and while seeing them as sharing a nature with us, we could have no good grounds for thinking that we would find common features between our ethical life and theirs or that it would turn out that we and they would have in common even the same materials of an ethical life.

I will call this the minimalist view of common ground in ethics. (It might also be called local exclusivism.) Williams puts his account forward in opposition to views about the conditions for interpretation developed by Donald Davidson, or in a related way by Wittgenstein, to the effect that, in interpreting the values or ethical beliefs of people different from ourselves, we must share some common ground with them if we are to make sense of the differences. More generally, it is put forward in opposition to centuries-old religious, philosophical or political convictions to the effect that there are general values which run across times and places, associated (as in the case of Thomas Buxton) with the belief that human beings are equal before God or have common natural features and conditions of life which are linked in turn with common aspirations. In its response to diversity, minimalism indeed disparages the aspiration towards the common or general in ethical inquiry in favour of supposing that ethical problems can be dealt with, if at all, only in a local or specific context; in this respect, it is a form of ethical relativism.

The minimalist (or exclusivist) standpoint might present itself as appropriately cautious. Its recommendation is that, while we may see others as sharing a nature with us - presumably on broadly physiological and behavioural evidence - we should not draw any conclusions about our having common ethical ground with them - or any shared beliefs - except on the basis of detailed investigation. This is a view to the effect that these matters need to be settled by inquiry of an anthropological sort or, more generally, by the methods of the social sciences. It may then turn out that these others who share a nature with us do not share anything else in terms of values or beliefs. To suppose otherwise is to fall back on unsupported *a priori* convictions.

What the anthropological and historical evidence shows, the argument continues, is a pattern of immense diversity across times and cultures leading to boundaries at which there is nothing, or virtually nothing, in common in ethical ideas or practices between the other culture and our own. This apparently scientific conclusion, commonly expressed as descriptive cultural relativism, is presented as the outcome of the empirical study of cultures undertaken in ethnographic inquiry in the twentieth century.

The boundaries envisaged in this argument are typically set around the largely unexamined idea of a local culture taken as an integrated whole. This has to allow for overlap between local ethical spaces and times; for it is clear that examples of local forms of human life, however specified, are almost always shaped by contact with other local forms of human life; and, historically speaking, every local ethics embodies beliefs, practices,

traditions, myths and stories written or unwritten, which are derived from the past of the people concerned which may also be a past shared to a greater or lesser degree by other groups. But while conceding the phenomenon of overlap, local exclusivism holds that ethical boundaries between the present and the past, or between local cultures, are reached sooner rather than later. There comes the point at which the differences are too great to suppose that there is any common ethical ground or at which the links become tenuous and it no longer makes sense even to attempt to make comparisons.

The setting of boundaries on these lines is suggested in Bernard Williams' distinction between two forms of social space (Williams, 1995, p.139f). There is firstly 'the space of our own actual social and political life', which for us is a world of competing ethical ideas, ideals and demands within which we have to try to form the idea of an acceptable life for ourselves. Secondly, and more vaguely, there is the variable space indicated by our awareness of ethical outlooks which flourished in times past or which may be held by distant other people in other parts of the world. These other ethical beliefs and practices can be recognised as ways of human life, but they are not genuine options in our world and, in that specific and limited sense, they are presented in minimalist terms as alien. One could consider, for example, the ethical world of Bronze Age chiefs, medieval Japanese samurai, the mountain people of Tibet, or remote tribes in the Amazon.

The idea of a form of life as alien, especially if one chooses distant examples, conveys a sense of considerable ethical difference; but in the spirit of empirical inquiry the degree of difference even for distant cases would need to be examined. In any case, this second 'space' embraces the whole of the past, including the past from which the contemporary Western ethical outlook is generally derived, the ancient Jewish and Greek worlds, the Roman and medieval world and the early modern world, down more or less to the early years of the twentieth century. Taking the past as a foreign country, none of these forms of life is a real option for us. This does not mean that Williams must deny that there are degrees of continuity; on the contrary, he warns against thinking that we can, as a rule, draw sharp boundaries between epochs or cultures; and elsewhere he has been concerned to explore the special significance of ancient Greek culture for the moral and political life of modern western societies (see Williams, 1993). Nevertheless, the burden of his argument concerning the two forms of social space is that genuine ethical debate can take place only in the limited framework of local social space and time.

The minimalist is inclined to think that claims to common ground with ethical worlds beyond our social space characteristically involve illusion or mistake. For a case in point, Williams refers to Saint-Just's illusion - as Marx and Engels characterised it - in believing that, in the revolutionary Tables of the Rights of Man, he had re-created an ideal of ancient Roman virtue in late eighteenth-century France. Nietzsche makes the same point more generally in observing that:

> In the age of Corneille and even of the Revolution, the French took possession of Roman antiquity in a way for which we would no longer have courage enough - thanks to our more highly developed historical sense. And Roman antiquity itself: how forcibly and at the same time how naively it took hold of everything good and lofty of Greek antiquity, which was more ancient. (Nietzsche, 1974, p.137)

In the Saint-Just case, over-confidence in the possibility of re-creating a past epoch went hand in hand with political and ethical misunderstanding on a large scale. Obviously, the example carries a salutary lesson against under-estimating difference, though the criticism does not in fact settle how much there may have been in common between ideals of justice from the Greeks to the Romans and thence to the modern world. The minimalist response is that the very idea of common ground across social spaces is radically problematic. Williams expresses the problem as follows:

> Perhaps it is not only our interpretation of ethical situations that inescapably involves elements local to our perspective, but our interpretation of other people's interpretations of ethical situations. (Williams, 1995, p.144)

This is a version of the idea that we visit our ethical views on others, at least to the extent that we think that we share common ethical ground with them. Its force is to suggest that there is no escape from the local perspective. What bearing does this have on an argument for common ground based on the conditions of interpretation? In one succinct statement of the argument in the ethical context, Donald Davidson says:

> Just as in coming to the best understanding I can of your beliefs, I must find you coherent and correct, so I must match up your values with mine; not of course in all matters, but in enough to give point to our differences. (Davidson, 1982, p.19)

The minimalist contention is that this argument has point only within the local perspective of actual social space: the idea of 'giving point to our

differences', Williams proposes, can be applied only within an actual social space in which ethical disagreement arises on the background of already established common ground. We are not entitled to think that its scope extends to cultures with which we do not share a common life or to ethical outlooks of the past. Here, it must be supposed, difference stands clear in the absence of any matching up of values and any attempt at mediation is pointless. For obvious reasons, the minimalist is particularly suspicious of entertaining hypothetical examples, especially limiting cases, or drawing any conclusion about common ethical ground merely on the supposition that we see others as sharing a nature with us.

Interpretation and the Limits of Understanding

The standard limiting example, of which Williams is critical, concerns the society of a (hypothetical) distant island. This is a society with which we have had no previous connection, where the people seem to have ideas, practices and values very different from our own which, as we understand them, are 'in no way candidates for adoption in the world in which we live' (Williams. 1995, p.140). The question, then, is how radically different could their moral values be? Alternatively, to what extent, if at all, must there be common ground between our values and theirs? The direct minimalist response is that, while we share a nature with them, we need not suppose that there would be any common ground at all or even, in any determinate sense, the same materials of an ethical life. What sense could be attached, in this case, to seeing others as sharing a nature with us? This is a question in need of exploration.

Williams in fact appears to step back from the minimalist supposition for he goes on to allow that we and the distant islanders could have some shared values in a *schematic* sense. And this is given content in the idea of a primitive core of justice around such elements as a harm that demands recompense or a good that needs to be shared, the sorts of things to which Heraclitus must have alluded in his remark 'They would not have known the name of justice, if these things did not take place' (fragment 23). We cannot tell a coherent story of a human way of life in which something of this sort did not obtain. The idea then is that every human society, no matter how exotic from our point of view, has manifested some elaboration or other of this primitive core; and what is true of justice at a schematic level may hold of some other values. But this concession is immediately put in question: for he holds that it is compatible with the primary thesis that we need not suppose that there is any common ground or even, in any

determinate sense, the same materials of an ethical life. What then *is* the force of talking of common (human) values, albeit in a schematic sense? That too is a question in need of further exploration.

As already noted, the minimalist is suspicious of even considering limiting-type cases. The primary objection is that reference to such examples is typically philosophical, as if the matter could be thought about in an *a priori* way and settled in advance of empirical inquiry. Specifically, Bernard Williams objects that what is really involved in the resort to limits is an uncritical foundationalism and the fantasy of ultimate or absolute ethical truth supported either by a Davidsonian-type argument from interpretation or a metaphysical or religious conviction about human nature.

It is time to consider the supposed dichotomy in this line of argument between the *a priori* and the empirical, and a related view about the division of labour between philosophy and the social sciences focused on a stark choice between ethical absolutes or local relativism. The values of the people on the distant island belong, *ex hypothesi*, to a world that is beyond our social space. Nevertheless, the hypothesis is raised from *within* our social space and it might be seen as a reasonable extrapolation, for instance, from the reports of anthropologists about exotic cultures or from what we know now, in our social space, of the largely disastrous confrontation with different cultures which marked modern European colonial expansion. Of course, the mere hypothesis of a distant island is completely theoretical and unreal in the absence of any context. But if we start even with the very general historical context just indicated, the limiting case begins to draw significance as bearing on the general pattern and conditions of ethical interpretation across times and cultures. Again, it responds to a general practical concern about the ethical ground in which we stand to the other. It is also relevant in assessing the basic claim about ethical difference commonly associated with anthropological inquiry and the thesis of descriptive cultural relativism.[4]

The relativist claim is that, if we look at the anthropological evidence concerning ethical beliefs, we find that there are cultures with nothing, or virtually nothing, in common with our own. But, if this were so, the limiting case would not even have the appearance of an open question for it would have been settled already. One would not need to imagine a society where the people share a nature with us but with whom we may have nothing in common in ethical terms, for one could simply point to examples. Ethnographic and historical studies provide evidence of great cultural and ethical diversity. But evidence of general ethical difference of a radical kind appears greatly exaggerated. While this is not the place for a

critique of the anthropological evidence, the proffered ethical examples, in the writings of anthropologists and philosophers who draw on them, typically relate to specific practices in the major areas of human relationships, the treatment of the young and the very old, rules of kinship, and relations with others beyond the identified group. The recurring examples concern such practices as ritual headhunting, the exposure to death of infants or the very old, polygamy, strange initiation practices, callousness in regard to animal suffering; or, by contrast, uninhibited and guilt-free sexual expression.

These different practices are no more than elements, of course, in the world of a different culture with different surrounding beliefs and values. In this context, let us assume that the problem of under-determination, which commonly affects the description of unfamiliar practices, has been overcome; that is, we will assume that the different practices have been described adequately. Even so, the anthropological evidence does not show that the differences between our way of doing things and their way could not be related back to common ground of a more general kind. In any case, the presence of genuine differences across cultures is not in dispute. The issue relates, rather, to whether the ethical differences in question are of a radical and systematic kind and whether they could be discerned other than on the basis of common ground. The evidence for thinking that there are societies with which we have virtually nothing in common is curiously elusive. For a time, the startling case of the Ik people of northern Uganda, as set out in Colin Turnbull's study *The Mountain People* (1973), appeared to provide an example. But on the evidence of subsequent anthropological study, this account is now recognised as greatly distorted (Moody-Adams, 1973, pp.79-80).

At a more general level, the minimalist case assumes that anthropological or historical descriptions of ethical practices can be established in evaluatively neutral terms. This is tied up with the conviction that the matter needs to be settled entirely on empirical grounds. The great problem here, however, is that we could not ascribe values to others unless we hold some related values ourselves. We are able to recognise the phenomenon of evaluation among others only in being engaged in the practice ourselves. How could observers pick out the moral phenomena of a different way of life, or even decide that a people have moral beliefs, except on the basis of making connections which grow out of their own grasp of moral beliefs and practices? That is, the establishment of common ground is the first step in making sense of differences. One can find out what ethical beliefs and practices a people have only on the basis of empirical inquiry. But the inquiry can proceed

only on the general conditions which shape interpretation of this kind. The limiting case of the distant island can serve to illustrate this consideration.

We cannot talk, in fact or in imagination, about a people of whom we know nothing. That at least is clear. The very imagining of the limiting case supposes that we are able to say something about the ideas, practices and values of the distant people. We are to consider a people with values very different from our own, a people therefore with different views about what is important in human life, about what is worthy of approval and praise, and what deserves disapproval and condemnation. What has to be presupposed is that, in some way, contact is effected .with the people. In some imaginary exercises, knowledge of the distant other might possibly be effected without any contact, perhaps by way of a fantasy of cognitive and affective infusion. In this case, the story of common ground or radical difference may be told as the storyteller chooses, saving the condition that the distant people must be shown as sharing a nature with us. On the other hand, contact at some level is a required element supposing that the hypothesis arises as an extrapolation from reflection on interpretative practices. The exercise at this level could be associated with the genre of travellers' tales or ethnographic reports, although the weight of history in the modern world points heavily to their occurrence in the wake of conquest and exploitation.

Let us suppose, without further comment, that those who make contact from our culture with the distant people are skilled inquirers, such as ethnographers and comparative linguists, who work with the conviction that the people share a nature with us. The inquirers could be ourselves. I will further suppose that the process of understanding could not take place unless we were to live with the people for a time, build up human relationships with them, and share their life to some degree. This would hardly be feasible without some practical agreement between us arising from trust, expressed in a range of value-laden practices which have to do with meeting ordinary human needs for food and shelter and with promoting informative, truth-telling communication. Clearly, this process is likely to shape, and possibly change in some respects, the life of the people concerned, including the way in which their ethical ideas are expressed. In this respect there is no such thing as pure or absolute interpretation; but relative success is possible. The outcome envisaged in the hypothesis is that we have managed, through a process of interpretation, to characterise the relevant practices in the way of life of the distant people and to identify their values to some determinate degree as fitting into characteristic patterns of beliefs, desires and preferences. This indicates, in broad terms, the conditions of successful anthropological

interpretation (allowing again that such interpretation is never absolute or complete).

If we are to get to this point, however, we must have succeeded in making reasonable sense of their values as significant elements in a human way of life, although *ex hypothesi* it is not a way of life for us. The values we discern then must be recognisably human values. This consideration - the idea of recognisable human values - builds in the necessity for some degree of common ground between us as the condition for understanding, allowing that the common ground, so far as we are concerned, is inevitably set by what *we* are able to recognise as values. This is built into the conditions of interpretation. In summary, the beliefs and way of life of the distant people are very different from ours; but if there were nothing in common between us in relation to beliefs and values, we would not be in a position to identify the differences.

Williams, as I noted earlier, accepts the force of this argument in ethical spheres in which there is already accepted common ground. The objection to its general application is that it makes it appear that mere reflection on the conditions of interpretation could establish the truth of a common set of general ethical beliefs which hold across all cultures. In discussing the conditions of interpretation, Davidson appears at times to argue in this way. That is, he moves from the premise that we need to ascribe common beliefs in making sense of others to the conclusion that most of our beliefs must be true; if so, our beliefs would be connected necessarily with the way the world is (Davidson, 1983). There is no good reason, however, to argue in this way. That is, reflection on the conditions of interpretation is not a way of establishing (general) ethical truths any more than it is a way of establishing general truths about the natural environment or any other domain.

Reflection on the conditions of interpretation leads to a principle of charity, to the effect that understanding others requires that we have a substantial body of beliefs in common with them. The argument of itself, however, does not tell us what the beliefs are, for that is largely an empirical matter which depends in a given case on how the interpretation unfolds in the process of establishing points of contact and identifying specific beliefs or bodies of knowledge. But the matching up of beliefs will need to grow out of exchanges in a shared environment. Nor does the conclusion that we have a substantial body of beliefs in common with others show that the beliefs are true, as if the beliefs were necessarily connected with the way the world is. In seeking to match our beliefs with others, we obviously take them to be true; and in attributing them to others we will be drawn to think that they also take them to be true. But their truth

is another matter, to be determined in ways appropriate to the types of belief in question. In summary, the argument shows that interpretation is subject to *a priori* conditions, expressed broadly in the principle of charity, but it does not purport to provide an *a priori* path to ethical or other truths.[5]

The next question is whether, in holding that there is a need for common ethical ground, one is committed, as Williams suggests, to an uncritical foundationalism or the illusory idea of an ethical standpoint outside history, or the fantasy of ultimate ethical truth. These dire consequences do not follow, in fact, from the considerations that have been advanced to this point. The argument is that in the interpretation of values, as of beliefs generally, charity is not an option: one must match up the values of others with one's own values enough to give point to the differences, just as one must find the other people coherent and correct in a substantial range of matters if one is to come to the best understanding of their beliefs. The establishment of the need for common ground in this way does not take the form of a claim to ultimate truth. At the same time, the matching up of values could be construed as providing grounds for a reasonable notion of ethical objectivity, viz. the marking out of a range of ethical ideas which hold generally across different cultures albeit in very different forms of expression (Hurley, 1989, p.20).

Objectivity in this specific sense relates to what is common, or what needs to be shared, if we are to make sense of the behaviour and way of life of different local cultures, including our own, against the background of the considerable differences between cultures. This holds within the natural and social environments in which human life in its variety is conducted, not at some absolute or ahistorical point of reference. Again, it does not suppose that there is, or could be, an absolute ground of understanding or that we could have access to transcendent ethical truths lying beyond interpretation and human practices. There is no universal Archimedean point, no 'supercultural observation platform' from which we might survey human history or the world (Rorty 1991, p.213). The radical consideration that interpretation is inevitably shaped by one's local or perspectival standpoint does not show that the principles which make for good translation are themselves narrowly perspectival or that we are forever locked into the original perspective in which we come to make sense of the world. At the same time, setting aside radical indeterminacy, the perspectival condition indicates the need for caution in accounts of other times and cultures. The possibility of bias and distortion is always present, whether the claim relates to similarity or difference; and even with care and insight we cannot hope to grasp the ethical outlook of a very different culture precisely in the form in which it is realised within the

culture itself. Furthermore, interpretations, however well supported, are never final and do not yield an absolute or god's-eye point of view. Any interpretation, as Hurley points out, is 'susceptible to multiple further interpretations; to end the regress we can't appeal to mythical intrinsically self-interpreting entities' (Hurley, 1989, p.84).

On the other hand, we are not driven to radical scepticism (or relativism) in regard to ethical understanding in the absence of ultimate truth. What we can hope for is, not ultimate truth, but as informed an understanding of cultures and values as we can achieve at a given time. This understanding is achievable primarily in the context of our own practices, including ethical inquiry especially in critical reflection on these practices; but such understanding draws on much more than present or local experience and may reasonably reach out to limiting cases without involving the fantasy of ultimate ethical truth.

The Need for Common Ground In and Beyond the Local Sphere

The discussion of the argument from interpretation and the distant island case has proceeded, as is perhaps typical of philosophy, without reference to empirical content. One could argue, in the spirit of minimalism, that this points to a basic wrong-headedness in raising the limiting case or even in seeking to venture beyond a single social space at all in ethical matters. The objection - to which Williams gives some support - is that informed talk about common ethical ground across cultures might be admissible if it were the outcome of an exhaustive study of such fields as biology, psychology, history, anthropology, and so on, relative to the whole range of human cultures (Williams, 1995, pp.203-212). At this point it appears that, in the matter of empirical evidence for common ground in ethics, nothing can be said unless just about everything is already known.

On a common pattern in the history of philosophy, this is an argument that would lead to a sceptical or relativist conclusion in the name of impossible epistemological demands. Its paradoxical weakness, in dialectical terms, is that it invokes the fantasy of ultimate truth in ethics (and the social sciences for that matter) as if it were the prerequisite for any truth. Moral inquiry in the context of interpretation has no need of that hypothesis. In any case, a retreat to local ethics and a determination to eschew general questions in moral inquiry would not cause the limiting question to go away. Thinking of this kind arises *within* our social space in any serious attempt to understand the past or to make sense of our own moral experience in the light of what we learn about the experience of

others. Secondly, a concern with the range of human possibilities is as much practical as theoretical; specifically, it bears on the scope for resolving ethical disputes within local pluralist traditions such as own. No less importantly, it is relevant to those aspects of a local ethics dealing with the appropriate ways to behave in relation to strangers, people of other cultures. At the same time it seems reasonable to ask whether a general comparative project of ethical interpretation can be given any empirical content.

This can be discussed around the minimalist supposition that we do not need to think that what we have in common with others (beyond our social space) is, to any determinate level, the materials of an ethical life. What could be meant by this? Obviously, an answer depends on what we take to constitute the materials of an ethical life, for ourselves in the first place and subsequently for others. Very generally, one could suppose that the materials of an ethical life will be found fundamentally in the materials of a human life. If we take it that others share a nature with us then we have to say something, however general, about that nature as we conceive it. In the broadest of broad terms, the idea of what makes for a human life would embrace an account of human capacities and needs in biological, physical, environmental, psychological and social terms. Given a developmental framework, there would be reference to our being organisms with bodies of a certain kind, having the need for food, drink and shelter, being sexual beings, dependent on the support of others especially in infancy, old age or times of illness, living in a social order, having the capacity to use language, to engage in forms of behaviour which, in general terms, make sense, to have experiences and thoughts related in the first place to one's environment, being subject to a broadly identifiable range of emotions and moods, engaging in forms of play, taking pleasure in various things, being subject to pain, living in time bounded by the horizon of death.

These are all very general and open notions and we have evidence enough that they take very different forms in different times and social settings. It does not follow, however, that they are hopelessly indeterminate or that the specific and variable elements of social construction in which they are given expression completely exhaust their content. In terms of values, these conditions point, in a variety of forms, to the centrality of something like trust, good will, love and care as linked with communal associations and affection (not least in early childhood); justice or fairness governing social relationships and the distribution of resources; truthfulness in language and behaviour generally; a measure of self-control in relation to others and in the use and enjoyment of things; and courage in undertaking the demands of individual and social life and facing the ills

which flesh is heir to in all corners of the human world. The values (or virtues) just noted are very general, but again it does not follow that they are impossibly indeterminate in this form. One could suppose, more plausibly, that they are determinable in an indefinite number of ways in different cultures and times (and in different ways in the same culture, related for example to age, gender, social place, temperament, particular affiliations, choice and chance). At the same time, they indicate limits in the sense that they point to broadly common ground in our culture; and they set the terms for wider inquiry. The challenge to the minimalist would be to make sense of the beliefs, institutions and practices of a human society which did not incorporate, in some form, a substantial range of these broadly identified conditions of human life and the related goods or values of ethical life.

This attempt to provide broad empirical content to the project of ethical interpretation is hardly more than a first word; and its utterance does not suppose that a last word could be spoken where this would consist in some set of absolute truths or a single 'true morality' somehow detached from specific forms of human life. We learn about morality in learning a language and growing up in a way of life. This process shapes our understanding, but typically it has come to include the development of a capacity for critical reflection on our beliefs and practices and for thinking about other possibilities. A straightforward but important part of that process lies in identifying the core elements of moral virtues. As discussed earlier, Williams refers to shared values in a schematic sense only to set the idea aside. One could argue, however, that we need to be able to formulate our familiar moral ideas in a general or schematic form precisely to be able to recognise related values in other cultures. In doing this, we also come to recognise, in the words of Michelle Moody-Adams, that 'the possible and plausible uses of moral concepts cannot be fully determined or exhausted by the content of any one set of cultural or historical traditions' (Moody-Adams, 1997, p.190). That is, the exercise of seeking to understand and compare the many different forms human life has taken suggests that ethical truth can be found in many different interpretations of human experience around broadly common values.

A schematic account of the core elements of justice, or any other moral value, is not an uninterpreted given. To speak of a harm that demands recompense or a good that needs to be shared is a 'thin' rather than a 'thick' account of justice, but not so thin as to lack content. Indeed, a core account needs to be general if it is to be determinable in the way that ethical and cultural difference would require and if it is to be recognised across different societies and times. Clearly, the core notion of a value does

not exist anywhere in a bare schematic form, in our own or in other cultures; it always has an embedded complex or 'thick' character. At the point at which we are able to talk of forms of justice or courage or truthfulness among the other people, we will have acquired a relatively informed, albeit incomplete and open-ended, grasp of their understanding of the issues and will know something about their social structures and the practices in which the values are manifested. We would not know what justice is for the others without grasping its thick content in their lives, institutions and practices. But the grasp of the core idea is nonetheless critical to the process. The point is that this enlarged knowledge of the other society is, in part, the product of distilling out the idea of justice from the specific forms it takes in our own culture in order to find it in other forms. The distilling out of core elements of values, or the grasp of schematic components, can thus be seen as critical to meeting Geertz's twin interpretive principles of (a) seeing others as sharing a nature with us; and (b) seeing ourselves as one example among others of the local forms human life has taken.

An emphasis on local forms of ethics and historical particularities makes it appear that we could do without the need for a general conception of human life and values. The falsity of this is apparent as soon as one thinks about the hypothesis itself. For the achievement of seeing ourselves as 'a local example of the forms human life has locally taken' presupposes a general conception of human life. Nor could we escape the need for generality even if we decided that ethical issues should be confined to the local sphere.

The minimalist, as I pointed out earlier, agrees that the interpretative principle of 'matching values with others to give point to differences' has its place in a single social space. For in this situation, ethical disputes typically take place against a shared background of behavioural and motivational expectations and broad agreement on a range of virtues and vices. In this situation, the assumption is that the common ground can be set aside as taken for granted; the emphasis is then placed on seeking to resolve differences as a practical, non-theoretical endeavour. What is needed at this point, Williams suggests, are acceptable ways of resolving disputes through persuasion in 'a world in which everything is, if you like persuasion, and the aim is to encourage some forms of it rather than others' (Williams, 1995, p.148). But what is the basis for talking of *acceptable* ways of resolving disputes, on the lines of encouraging some forms of persuasion rather than others, in a world in which everything is taken to be persuasion?

What is missing is a satisfactory rationale for a preferred order among forms of persuasion. An essentially practical account might suppose that the criterion for judging among forms of persuasion is their relative effectiveness. In the context of trying to think seriously about a decent life, however, two other criteria of an ethical kind are fundamental: *what* the persuasion is concerned to effect (the object of persuasion) and whether the *means* employed are acceptable. In other words, the appeal to persuasion in resolving ethical conflicts (or in learning to live with them) properly involves reference to a range of general ethical values which set limits and serve to guide discussion. In this case, the shared background stands in need of explicit consideration. This is not to imply, of course, that ethical disagreement within a society typically involves reference to limits of the type set by the hypothesis of the distant island. Even so, one could suppose that moral understanding in a society would be enlarged by attention to other times and cultures and by the exercise of moral imagination. Furthermore, ethical limits in the form of basic values frequently become relevant in issues relating to justice and integrity, especially in matters of life and death.

Finally, the need to think beyond a single social space arises in an obvious but critical way at points of cross-cultural interaction. The idea of a fully integrated, self-contained and isolated society, a social monad, is largely fictional; societies have typically developed a range of ethical considerations that bear on the fair and decent treatment of other people, at home and abroad. Given the phenomenon of limited sympathy, the story has commonly been one of mutual hostility in human history. But that history, and its present manifestation in many parts of the world, only underlines the need for an adequate ethics in each society concerning the other, both near and far. There is a certain innocent (or wicked?) delight in Nietzsche's depiction of distinct ethnic tables of values with each people being amazed at their neighbours' madness and wickedness. But the picture rests on questionable stereotypes and involves restrictive and potentially dangerous assumptions about ethnic identity.

The fundamental issue goes back to the agreement that the other is to be recognised as human, as sharing a nature with ourselves. This would seem straightforward, but is bedevilled by the belief in many cultures, including our own, that there are degrees of humanity, accompanied invariably by the conviction that one's own race or group of people, however defined, alone occupies the high ground of the 'fully human'. Once again, I will simply note this as a general and virulent form of the problem of limited sympathy, an attitude which is invariably accompanied by ignorance of the other, both real and affected ignorance.

In the present context, agreement that the other shares a nature with us is common ground with Williams' form of minimalism. The problem, I have argued, is that he puts the idea in question in refusing to give it ethical content. Against this, the discussion based on the argument from interpretation shows that common ground is needed if understanding is to be possible; and ethical reflection indicates its general character. But even in advance of detailed inquiry, recognition of the unfamiliar other as human is already ethical in character. Immediately, it establishes an openness to our having shared beliefs and values, as well as differences, and the possibility of entering on a form of exchange and community. Immediately, the recognition sets in train the need to extend to the other the basic values indicated by respect, good will, and fairness.

This emphasis is a far cry, to note the matter again, from much of the history of the relations between different peoples, in which it seems, in Heraclitus' words, that 'war is the father of all and king of all; and some he shows as gods and others as men; some he makes slaves, others free' (fragment 53). That might serve as an apt comment, among other things, on European colonial expansion. What it suggests, however, is only that the ethical demands of recognition of the other, which clearly transcend local boundaries, are regularly abused. This was the burden of the 1837 Report of the Select Committee on Aborigines, to which I drew attention at the beginning, in condemning the disregard for equity and justice which marked colonial expansion. That conviction on the part of its primary author was based, as noted, on a Quaker-inspired belief in the equality and common affiliation of human beings under God. Its ethical substance, however, was the acknowledgement of the idea of a shared nature as having ethical implications together with moral confidence in the value of seeking to find common ethical ground with others in the midst of cultural diversity. My concern has been to show that reflection on the conditions of interpretation lead to the same substantive conclusions.

Notes

1   My account of the Report and its subsequent reception in New South Wales is based primarily on Milliss, 1992.

2   House of Commons, Britain, *Report from the Select Committee on Aborigines (British Settlements), together with the Minutes of Evidence, June 26, 1837*, pp.3-6; quoted from Milliss, 1992, p.227.

3   *Notice on Aborigines, Executive Council Minutes and Memoranda, 1838/1839*; the passage is taken from an April 1838 draft of the Notice quoted by Milliss, 1992, p.243; Gipps had sought to publish the Notice in May 1838, but in the wake of considerable opposition his resolve weakened and publication in the

Government Gazette did not take place until 22 May 1839; see Milliss, 1992, chaps. 9 and 22.

4   For a strong philosophical critique of descriptive cultural relativism, with extensive reference to relevant anthropological studies, see Moody-Adams, 1997.

5   Susan Hurley comments on the role of empirical information in the context of constraints on interpretation as follows: 'That constraints on interpretation, principles of charity, give the world a constitutive role in relation to the mind and are imposed *a priori* does not of course mean that the way the world is an *a priori* matter' (Hurley, 1989, p.95).

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12 Discourse Ethics and the Normative Justification of Tolerance

PAULINE JOHNSON

Tolerance, Jurgen Habermas has declared, is today a 'diminishing resource' (1996a, p.1500). While complex societies rely more and more upon a legally non-coercible mutual toleration of forms of life and worldviews that represent existential challenges for each other, it seems that 'this requirement... is increasingly experienced at the subjective level as an unreasonable demand'. As Habermas sees it, the threat that this mounting disaffection with the expectation of tolerance poses to the stability of unwieldy modern societies, suggests that the demand itself 'requires a normative justification to a growing degree'. It is, it seems, up to the critical theorist to attempt to re-construct those terms in which the 'reasonableness' of the expectation of tolerance might be recognised by the unruly populations of complex modern societies.

Habermas is by no means alone in his fears about the waning hold of the principle of toleration. Michael Walzer's recently published study, *On Toleration*, welcomes the new assertive mood in which group and individual difference are affirmed in modern multicultural America (1997, p.95). Yet, at the same time, he notes the disturbing characteristic of this 'multicultural cacophony' which has been accompanied by a 'dangerous' decline in any commitment to the idea of common interests and shared purposes (1997, p.108). On his account, a progressive erosion of all communitarian commitments must finally attack the principle of toleration itself, interpreted as a shared undertaking to 'agree to disagree'. David Heyd too is concerned at what he sees as the threat to the principle of toleration which attends that mood of 'indifference' which is, for him, bred by a postmodern 'easy acceptance' of a heterogeneity of values and ways of life (1996, p.5).

Charles Taylor agrees with Habermas in supposing the social theorist is obliged to attempt to resurrect normative justification for an increasingly

fragile commitment to tolerance (Taylor, 1994). It is the theorist's task to establish the 'reasonableness' of this expectation to a public increasingly cynical about any appeal to the idea of a shared interest. For Taylor, what is called for here is not merely a justification of a 'weak' liberal construction of toleration seen as principle that enjoins us to 'agree to disagree'. He wants to establish, rather, the grounds upon which the legitimacy of the other's demands for *recognition* might be acknowledged. In contrast to the demand for forbearance, the call for recognition faces some stringent tests in its efforts to excite a shared interest in the private individual's need and identity claims. A liberal interpretation of the public sphere had appealed to a shared commitment to the idea of personal autonomy as the grounds upon which private claims ought to be acknowledged. For the neo-communitarian, by contrast, the stranger must demonstrate the 'importance' of what they have to say 'to all human beings' before his or her claims can be recognised (Taylor, 1994, p.66).

Remaking a commitment to the accommodation of difference from a 'weak' liberal call for toleration into a 'strong' communitarian demand for recognition brings losses as well as gains. The modern liberal formulation of the principle of toleration, bequeathed by J.S. Mill, had upheld a general commitment to the accommodation of the dissenting and unfashionable point of view. It was to this generaliseable principle, and not to the contingent judgement of any communication community that oppressed difference might appeal. Habermas agrees with those critics who find a loss of critical power in Taylor's turn towards the problematic of recognition. In particular, he cites Susan Wolf's concern at the critical limits of his neo-communitarianism. In her view:

> At least one of the serious harms that a failure of recognition perpetuates has little to do with the question of whether the person or the culture who goes unrecognised has anything important to say to all human beings. The need to correct those harms, therefore, does not depend on the presumption or the confirmation of the presumption that a particular culture is distinctively valuable to people outside the culture. (1994, p.79)

Habermas rejects the paradoxical postmodern proposition according to which the affirmation of difference rules out the search for shared commitments through which the reasonableness of the accommodation of difference might be justified (1987). He cannot, on the other hand, overlook the neo-communitarians' failure to offer an account of those principles to which dissenting difference might appeal against the empirical consensus achieved by a given communication community. And yet, there is, for Habermas, no going back. As we will see, according to him, liberalism has lost the capacity to persuade us of the rationality of its own

commitment to the principle of toleration. It is, therefore, necessary to identify a new basis from which a universalising commitment to the principle of tolerance can be normatively grounded.

The following paper sets out to examine the extent to which the discourse ethics can adequately respond to Habermas' own call for a normative justification of the expectation of tolerance. The first part of the paper considers his break from the ideological character of classical liberalism's attempted rationalisation of the principle of tolerance. Here I concentrate on the new scope and expanded meaning that the discourse ethics confers upon the tolerance principle. The second part of the discussion considers the plausibility of Habermas' efforts to offer his theory as a post-liberal normative justification for the principle of toleration. I argue that it is necessary to concede some version of that criticism according to which the discourse ethics formulation of the normativity of the idea of tolerance is, like the repudiated liberal version, underpinned by an ideological conception of the 'shared interests' of the communicative actors.

In the light of this discussion, the final part of the paper turns to a re-investigation of Habermas' call for normative justification. It is, I suggest, finally not evident that the critical theorist is obliged to respond, or even that he/she responds most usefully to, the collapse in the conviction of the reasonableness of the principle of tolerance by seeking to underpin this idea with normative justification. I argue that we should assess the account of the principle of tolerance given by the discourse ethics in terms of its answer to a rather different question. The last part of the paper suggests that the discourse ethics is able to lend its services to the flagging fortunes of the idea of toleration, not by seeking to underscore this idea with rationally compelling argumentation, but by offering insights into the attractiveness of, and the possibilities opened up to, a life which accepts this principle.

Liberalism and the Normative Justification of Tolerance

It has been commented that, for the liberal, the appeal to autonomy is not simply one argument amongst others in support of the principle of toleration (Mendus, 1989, p.56). Indeed, the autonomy argument is sometimes referred to as *the* characteristically liberal argument for toleration. According to Joseph Raz, for example, the 'duty of toleration, and the wider doctrine of freedom of which it is a part, are an aspect of the duty of respect for autonomy' (1986, p.407). In this first part of the discussion, I briefly canvass some implications of this characteristically

liberal appeal to the principle of autonomy as the grounds for a rational justification of the principle of tolerance.

J.S. Mill's great liberal treatise, *On Liberty*, formulates its central 'simple principle' as the conviction that: 'Over himself, over his own body and mind, the individual is sovereign' (1910, p.73). This idea of self-sovereign individuality appears, then, as the grounds upon which Mill asserts the immorality of intolerance. Yet, according to him, justification for the principle of tolerance can, and must, go further, for the value of individual autonomy can itself be rationalised in accordance with a commitment to the human capacity for on-going self-improvement. Liberty, Mill argues, proves itself as a value that serves the interests of human advancement for, as he sees it: 'it is only the cultivation of individuality which produces, or can produce, well-developed human beings' (1910, p.121).

Susan Mendus argues that his belief that the value of autonomy is tied to its promotion of human self-development allows Mill to address a potential 'paradox' in liberalism's understanding of the meaning of toleration (1989, p.57). In particular, Mill's commitment to the principle of moral progress is seen to offer a way out of the impasse in which a strong interpretation of the idea of tolerance is seen to oblige us to accept things 'believed to be morally wrong' (Mendus, 1987, p.57). By making the idea of autonomy contingent on its capacity to promote human self-advancement, Mill introduces a set of criteria (individual self-improvement, societal progress and the growth of 'civilisation') which must be appealed to in any claim made upon the principle of tolerance.

Yet, while Mill's determination to make claims for the exercise of tolerance contingent on a set of 'higher' considerations seems to avoid a paradoxical interpretation of the principle of tolerance, this aspect of his theory has also been accused of exhibiting some decidedly illiberal tendencies. As Gertrude Himmelfarb, amongst others points out, it seems that, for Mill, only a very specific desire, the desire for self-improvement, can make its legitimate claim on the exercise of tolerance (Himmelfarb, 1974, pp.57-92). There is a circularity in the argument that makes respect for diversity ultimately contingent on a principle against which the worth of self-sovereign individuality can be measured.

There has been no real consensus among its various critics concerning an appropriate response to the perceived failures of Mill's attempt to determine a normative justification for the principle of toleration. Yet, even those modern liberals who, with John Rawls, repudiate a turn to utilitarianism or to pragmatism tend to also reject any attempt to resurrect Mill's search for normative justification with its entanglements in a philosophical construction of a human nature.[1]   Another strand in the

critique of Mill supposes that the search for normativity is not itself responsible for the illiberal implications that attend his attempt. Habermas is prominent here amongst those who suppose that the normative justification of tolerance can be formulated in terms that repudiate both the authoritarian consequences and the ideological underpinnings of Mill's classical liberal formulation. As Habermas sees it, by making the private individual responsible for his/her own self-improvement and ultimately for the progressive development of the society as a whole, classical liberalism finally colludes with the ideological self-representations of a bourgeois subjectivity enthused with the supposed universality of its own experience of self-sufficient individuality.[2]

The discourse ethics theory refuses to give up the search for normative justification. For Habermas, a defence of the normative content of the idea of tolerance must be mounted in order to prevent its eventual complete reduction to a unstable *modus vivendi* that enjoins a mere forbearance between subjects united by their interest in the mutual accommodation of their private interests and needs.[3] For Habermas, as for Mill, tolerance must be affirmed in all its normative force as a shared principle to which the private individual might appeal in order to have the legitimacy of his or her difference and the justice of his or her claims acknowledged.

The discourse ethics is, as we shall see, specifically determined to discover a principle against which the 'damaged life' can appeal in its struggles to have its need and identity claims acknowledged. The next part of the discussion considers those aspects of the discourse ethics that provide the terms of Habermas' response to the perceived need for a normative justification for the idea of tolerance.

A Proceduralist Reconstruction of Normativity

The discourse ethics has its starting point in the observation that, despite our perceived, at times, keenly felt, differences, we humans continue to discursively engage, interact and arrive at broad agreements with one another. For Habermas, this generalised communicative capacity does not call upon any special talents, virtues or philosophical commitments. Communicative interaction is not, to him, a contingent, optional mode of inhabiting the world, it is 'essential to our human identity'. Habermas makes the point that, because individuals acquire and sustain their identity by appropriating traditions, belonging to social groups and taking part in socialising interactions they 'do not have the option of long term absence from the contexts of action oriented toward reaching an understanding. This would mean regressing to the monadic isolation of strategic action or

schizophrenia or suicide' (1993, p.50). Under modern conditions of cultural and social pluralism, we can no longer count on a shared ethos to sustain our interactions and, are, accordingly, required to look to norms of interaction which all mature agents could freely assent. The discourse ethics is, then, principally concerned to reconstruct the procedural norms implicitly affirmed by competent speakers as the grounds for their communicative interactions.

According to Habermas, the norms thematised by the discourse ethics are a mere reconstruction of certain undertakings implicitly embraced by every competent speaker in the pragmatic dimension of each linguistic act. In so far as the speaker wishes to engage in a process of reaching reciprocal understanding, he or she is implicitly raising grounds in terms of which the validity of his or her utterances may be understood and, in principle, criticised by his or her hearers.[4] The, from our present point of view, significant consideration here is that, for Habermas, in making such a claim, the competent speaker always, undertakes to argumentatively defend the criticisable validity claims raised by their utterance. Communicative rationality is, thereby, supposed to feature as a universal presumption of the pragmatics of human language itself (Habermas, 1993, p.50).

The discourse ethics views itself as an attempt to reconstruct those procedural norms implicitly affirmed by all competent speakers that might be appealed to in an attempt to restore the conditions for a continuation of disrupted communication. In those contexts in which speakers can arrive at no broad agreement in the interpretation of the facts and can call upon no shared understanding of cultural traditions, we are 'left with no alternative except to locate the normative basis for social interactions in the rational structure of communication itself' (Cronin, 1993, pp.xx-xxi). As Habermas sees it, this conception of the function of the theory points to its 'self-limiting' character (1990a, p.205). Discourse ethics refers, he insists, to a 'negatively damaged life instead of pointing affirmatively to the good life' (1992, p.476). The discourse ethics conceives its own motivating interest as an investment on behalf of systematically frustrated needs for personal autonomy. Habermas repudiates the postmodern proposition that in the face of seeming intractable difference and the apparent loss of the grounds for communicative interaction, we have the choice of simply 'going off in peace' (1992, p.476). Interpreted as a generalised strategy, this is not, as he sees it, 'a meaningful choice' for 'there are problems that are inescapable and can only be solved in concert' (1996b, p.107). At the centre of the discourse ethics is a commitment to the idea that the critical theorist must attempt to identify those general principles to which oppressed and estranged difference can appeal in its efforts to have its need and identity claims recognised.

Habermas describes the central principle of the reconstructive project undertaken by the discourse ethics as the principle (D). (D) is intended as a procedural principle of practical argumentation that shows how a determinate range of practical issues can be decided in a way mutually beneficial to all participants. This principle states that: 'Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses' (Habermas, 1990, p.216). (D) does not pretend to specify the terms in which normative validity must be decided in all cases. It seeks jurisdiction only in those circumstances in which the question of normative validity is up for dispute with a range of competing interpretative perspectives and interests claiming priority. In such circumstances, (D) maintains that the legitimacy of proposed norms must be determined by ensuring the free agreement of all who might be affected by its general observance.

This principle of impartial adjudication of disputed claims in no way requires a bracketing of the particularistic interests of each speaker. On the contrary, in the discourse ethics the question of validity makes the self-interest of each into a criterion against which the validity of the norm might be decided. As Habermas sees it: 'every single participant in argumentation remains with his "yes" and "no" a court of final appeal: no one can replace him in his role of one who pronounces on criticisable claims to validity' (1990, p.216). At the same time, the procedural principle of argumentation holds that 'even those interpretations in which the individual identifies needs that are most precisely his own' are open to a revision process as the 'social nature of what is most individual is opened up to public discussion' (Habermas, 1993, p.52). The observance of the principle of impartial adjudication formulated by (D) requires, then, that the participants in the discourse undertake a process of 'ideal role taking'; described as a procedure of 'checking and reciprocally reversing interpretative perspectives under the general communicative presuppositions of the practice of argumentation' (Habermas, 1993, pp.51-53). The descriptive terms in which each individual conceives his or her interests must be open to criticism by others. Our needs and wants are interpreted in the light of cultural values and hence are always components of intersubjectively shared traditions; the revision of values used to interpret needs and wants therefore cannot be a matter for individuals to handle monologically (Cohen, 1989, p.495).

The process of ideal role taking described under principle (D) identifies those procedural norms which must be observed if we are to discover what we inhabitants of a heterogeneous social universe share and how we are to identify 'that range of doing things which require our solidaristic recognition' (Habermas, 1998a, p.40). This discovery of intersubjectively

shared traditions involves no imposed construction of the terms of substantive agreement nor does it suggest a primary orientation towards consensus. According to the theorisation of the discourse principle, the discovery of intersubjectively shared traditions emerge, rather, as a kind of by-product of the struggle for recognition waged by individuals in a heterogeneous modernity. Habermas makes the point that, from the fact that persons can only be individuated through socialisation (can only interpret their own needs and formulate their aspirations in the light of available cultural descriptions), it follows that their most, seemingly, individual reasons for action are open to public discussion and to the elaboration of those shared traditions upon which they implicitly rely.

Habermas insists, however, that this kind of substantive agreement over what might count as 'good' reasons in support of the diverse need interpretations and action plans of persons in a complex modernity is by no means the only terms in which intersubjectively shared traditions might be discovered by processes of discursive interaction. In the absence of such agreements, the participants must 'rely on the "neutral" fact that each of them participates in *some* communicative form of life which is structured by linguistically mediated understanding' (Habermas, 1993, p.91). In such circumstances, the participants in the discursive process discover their shared humanity with those others who, recognised as the bearers of different descriptions of the good life, are, nevertheless, seen to be able to formulate these diverse descriptions as reasons in defence of their need for self-sovereignty.

This is the province of the (U) principle. In those cases where profound differentiations in forms of life and life projects block any substantive experience of 'intersubjectively shared traditions', of a lifeworld in common, the scope of solidaristic recognition shrinks back to the level of a common assent to the idealising presuppositions implicit in the abstract rules and principles which govern the integrity of discourse. Habermas makes the point that, in 'the course of the development towards multiculturalism within particular societies and toward a world society at an international level', we have been compelled to retreat to more formalistic proceduralist understanding of the terms of solidaristic recognition. While this retreat to the terms of such solidarities as might be achieved under the governance of the principle (U) suggests a dramatic truncation of the range of questions that can be answered rationally from the moral point of view, it also seems that 'finding a solution to these few more sharply focused questions becomes all the more critical to the co-existence and even survival in a more populous world' (Habermas, 1996b, pp.108-109).

Habermas has continued to insist on the difference in the status of the (D) and the (U) principles. (D) stands as a reconstruction of the discursive procedures whereby the shared horizon provided by the lifeworld of a particular socio-cultural group may be redeemed and offered as grounds from which a disturbed consensus might be re-established. (U), by contrast, appears as a completely formal account of those generaliseable principles of discourse which are implicitly affirmed in any appeal to the (D) principle. (U), that is, holds that if a contested norm cannot meet with the consent of the participants in a practical discourse unless: all affected can *freely* accept the consequences and the side effects that the *general* observance of a controversial norm can be expected to have for the satisfaction of the interests of *each individual*. In those circumstances in which a substantive shared horizon cannot be reconstructed, (U) identifies the terms in which the normative basis for social interactions can be located in the rational structure of communication itself.

We can now begin to consider the adequacy of Habermas' attempt to underpin the idea of tolerance with normative justification. To begin with, I propose to explore the capacity of the discourse ethics to break with the limitations of liberal interpretation of this ideal to confer it with new meaning and expanded scope. I will then look at the extent to which a Habermasian reconstruction of the significance of the principle of tolerance can overcome those illiberal consequences which, as we saw, the critics suppose attend Mill's classical liberal attempt to underpin the idea of toleration with normative justification.

A Discourse Ethics Interpretation of Tolerance

A generation ago, Herbert Marcuse attempted to unmask the kinds of political investments associated with a specifically liberal formulation of the principle of toleration (Marcuse, 1965, pp.108-109). He described this as the standpoint of a 'pure' or 'abstract' tolerance; non-partisan 'inasmuch as it refrains from taking sides-but in doing so ...actually protects the already established machinery of discrimination' (1965, p.85). By construing tolerance as a passive state of forbearance, the 'democratic argument for abstract tolerance' refuses to admit the public significance of claims made on behalf of the unmet needs and the dissenting points of view of private individuals. Marcuse goes on to suggest that this liberal construction of toleration as a merely passive virtue is a deformation of its early modern interpretation as an active state. On the Enlightener's active construction of this principle: 'The toleration of free discussion and the equal right of opposites was to define and clarify the different forms of

dissent: their direction, content, prospect' (Marcuse, 1965, p.95). By contrast, armed with its unshakeable commitment to the principle of division between public and private domains, liberalism seeks in the observance of the principle of toleration not clarification for, but a quarantining of, the point of view of the dissenting voice.

Habermas repudiates the conception of the necessary split between the private and public realms which has structured liberalism's passive interpretation of the principle of tolerance construed as a mere undertaking to 'agree to disagree'. He emphatically rejects the suggestion that the discourse ethics might limit itself to a thematisation of those procedures through which diverse points of view and particular interests might come to a compromise agreement based on the principle of a 'fair hearing' (Habermas, 1993, p.43). And, again, Bruce Ackerman's 'pragmatic imperative' which requires 'conversational restraint' between warring tribes is not for him. Such propositions are anathema to Habermas' own critical theory motivations. The 'fair hearing' model attempts to ground the legitimacy of norms on their 'de facto' acceptance by a given community and hence the radically dissenting voice will be left bereft of any principle through which it might articulate its on-going protest. 'Conversational restraint' also appears as a strategy that fails to acknowledge power relations at play between competing world interpretations. Both of these interpretations of the scope of the principle of tolerance rest on an uncritical acceptance of the liberal ideology of the self-sufficient private individual. Habermas, by contrast, wants an interpretation of tolerance with a scope adequate to the recognition of claims made on behalf of the 'damaged life'.

To respond appropriately to this kind of claimant, the ideal of public reason cannot be formulated simply in terms designed to protect the rights of the self-asserting private individual. As we have seen, the (D) principle recognises the validity of only those descriptions of our shared interest to which all who are possibly affected might agree. Only with this latter interpretation is the private individual assured of having the legitimacy of his or her contribution to an understanding of the common good recognised. The shift here in the terms in which a shared obligation towards the defence of the rights of the private individual is conceived has significant practical implications. Supported by an ideology of the self-sufficiency of the private individual, a passive construction of the ideal of tolerance is compatible with the return of all the anti-democratic impulses of a *laissez-faire* society. By contrast, an interpretation of toleration as an active principle sees itself as an investment in the discursive arrangements through which the self-interpretation of the dissident or needy private individual is seen to have a legitimate role in the expansion of an understanding of our shared interests. On this interpretation of its meaning,

a defence of the principle of tolerance must articulate itself with a defence and extension of the informal and formal processes of democratic will formation that might also be described as a diminishing resource today.

Positioning itself as advocate to the neglected claims of the damaged life, the discourse ethics determines that the ideal of public reason must be formulated in terms of an formal principle to which all those excluded from an empirically established consensus might also appeal in their efforts to establish their claim upon a shared interest. Discourse ethics presents the (U) principle as a formalised recognition that the normativity of the modern public sphere embraces the community of all competent speakers. It is in these terms that the discourse ethics attempts to redeem the universalism of classical liberalism's account of the normativity of the principle of tolerance. Specifically, Habermas supposes that by locating normativity in the rational structure of communication itself, the justification of the universality of the principle of tolerance does not finally need to appeal to an ideology of human nature. The discourse ethics is committed to a reconstruction of the grounds upon which we culture-bound concrete persons might develop a sense of our shared humanity with everyone else in terms that permit 'a nonleveling and nonappropriating inclusion of the other in his otherness' (Habermas, 1998a, p.40).

Two aspects of the discourse ethics are particularly relevant to Habermas' attempt to rationally justify the principle of toleration. On the one hand, as we have seen, the theory attempts to establish that the universalistic aspirations of this ideal can be underpinned by an account of trans-culturally relevant principles that do not finally appeal to any metaphysical views. Furthermore, under a discourse ethic interpretation, the principle of tolerance no longer rests on that problematic split between the roles of disinterested citizen and aspiring private individual which has characterised a liberal formulation. Breaking with the liberal bifurcation between the private and the public, tolerance is now interpreted as an active principle. Under a discourse ethics interpretation, the protection of the rights of the private individual encompasses a commitment to the defence of those conditions that support discursive processes through which the private individual is able to seek public recognition for his/her rationalising self interpretations.

We have seen that the discourse ethics interpretation of the tolerance principle proposes a dimension of social critique missing from a conventional liberal account. It seems also that Habermas' theory attempts to determine a non-metaphysical basis from which the universality of this principle might be justified. Yet can these potentials of the discourse ethics survive the impact of those contextualist arguments raised directed at the

universalising ambitions of Habermas' theory? This question is the focus of the next part of the discussion.

Surviving the Contextualist Critique?

We have seen that, for Habermas, the demand for tolerance must have recourse to a court higher than the mere consensus of a given communication community. Yet it is precisely this aspect of the theory that attracts a barrage of objections from the contextualists. Thomas McCarthy is among the dissenters arguing that, in the end, Habermas' distinction between the (D) and the (U) principles cannot be sustained. As McCarthy sees it, the intersubjectively shared traditions built into the procedural norms governing discursive interaction cannot be stretched so thinly as to be completely free of the values of a common lifeworld. We cannot 'agree on what is just without some measure of agreement on what is good' (McCarthy, 1991, p.192). For Jean Cohen also 'Discourses do not create values and solidarities ex nihilo but draw on already shared commonality and culture, ie, 'lifeworld'. The norms generated by participation in a discourse would, she continues, 'thus not be universal, but specific to those who value this form of interaction' (Cohen, 1989, p.496).

For this critique, a conception of intersubjectively shared traditions, that 'we' which is discovered or reaffirmed in the discursive process, can only appear as the articulation of an already existing common culture. Assent to the idealising presuppositions implicit in the abstract rules and principles governing the integrity of (U) implies a prior agreement over substantive values. As Agnes Heller points out, participation in discourse already suggests a commitment to certain kinds of culturally laden value ideas and, she concludes, in this sense, 'the principle "U" is actually only the principle "D". For the idea of universal procedure is no less embedded in the Western tradition than is the claim to the validity of certain maxims' (Heller, 1984-5, p.9). For Heller and others, then, Habermas' attempt to drive a solid wedge between the supposed universalistic provenance of the principle (U) and the context-specific character of the terrain covered by (D) is finally guilty of an 'ethnocentric fallacy' (Heller, 1984-5, p.9).

This kind of argument cuts deeply into the ambitions of the discourse ethics as a whole. We have seen that Habermas' conception of the public sphere rejects liberalism's ideological restriction of its role to the mere protection of the rights of self-sovereign private individuality. To him, there can be no qualification on the right of entry into discourse apart from a demonstration by 'competent speakers' of their willingness to redeem their implicit undertaking to argumentatively defend the criticisable

validity claims raised by their utterances. The abstraction of the (U) principle is supposed to describe those procedural norms adequate to the human rights conviction that arguments deserve equal consideration regardless of their origin and hence also regardless of who voices them (Habermas, 1993, p.33). Accordingly, in the critics' protest that principle (U) is redundant, Habermas sees a challenge to an undertaking central to the whole theory. At stake is the discourse ethic intention to offer a universalistic, non-liberal, account of the scope of the modern public sphere.

Habermas has framed his response to the redundancy of the principles (U) and (D) partly by an attempt to distance himself from the kinds of concessions which, as he sees it, the later Rawls has made to the contextualist argument (Habermas, 1998b). In Habermas' view, Rawls has responded to criticisms of the contrived character of his own early interpretation of the ideal of public reason by cutting back the claims of the theory of justice as a theory of human rights. In *Political Liberalism*, the account of the process of rational will formation no longer owes its rationality directly to the idealised conditions of a communicative practice that makes agreement, in the sense of rationally motivated assent, possible. On Habermas' reading, Rawls has succumbed to the challenges of the contextualists and now invests, not in a procedural contrivance designed to yield an impartial justice, but in the supposed rational capacity of participants appropriately endowed with aptitudes and dispositions capable of impartial adjudication on matters of the public good (Habermas, 1993, p.28). As a consequence, in the later Rawls, 'the concept of person now bears the full explanatory weight in demonstrating the normative content of practical reason ... the theoretical problem of justification is shifted from the characteristics of procedures to the qualities of persons'.[5] Against the example of the later Rawls, who 'now presents his theory of justice merely as a systematic reconstruction of the best normative intuitions of the Western tradition in political thought', Habermas refuses to retreat from the ambitions articulated in the principle (U). He will not, that is, leave open the question 'of whether the reconstructively grounded principle of justice should be regarded as valid only for societies shaped by our political-cultural traditions and not for modern societies irrespective of their cultural orientation and tradition' (Habermas, 1998b).

Yet, Habermas' defence of the principle (U) must go further. The critics challenge not merely the apparent conceptual *necessity* of the appeal to the principle (U), they have also expressed deep reservations about the *tenability* of this idea. We have seen that, in the first instance, Habermas endeavours to respond to these concerns by pointing to the abstract level upon which the (U) principle is formulated. Yet for some critics, this

formalistic character of the principle, supposed to drain (U) of any dependence on culturally specific norms and values, manages, at the same time, to empty this principle of all substantial usefulness.

Seyla Benhabib, for example, has argued that the degree of abstraction and formalisation of the (U) principle renders this procedural norm too indeterminate to be of use even as an adequate universality test for negative duties (Benhabib, 1992a, p.34). She finds, moreover, that even the level of abstraction involved in the representation of generalisable interests carried by the (D) principle fails to allow any meaningful application of its relevance. With these reservations in mind, Benhabib attempts to introduce an additional principle into the overall framework of discourse ethics. She postulates a criterion under the heading of an ethics of care as an autonomous moral standpoint that complements considerations of justice (Benhabib, 1992b, p.158).

Benhabib concedes that the proceduralism that governs Habermas' search for terms in which the generalisable interests of the self-sovereign polity might be articulated is the only meaningful formulation of the modern democratic ideal. Yet, she also insists that these procedural norms must be recognised as the bearers of a particular, loaded, conception of the aspirations and the capacities of the participants in the discursive process. Specifically, she suggests that the discursive norms reconstructed by Habermas describe the interaction between 'generalised others'. The standpoint of the generalised other 'requires us to view each and every individual as a rational being entitled to the same rights and duties we would want to ascribe to ourselves' (Benhabib, 1992b, p.158). Recognising only claims made on behalf of this generalised idea of the person, Benhabib fears that the procedural norms specified by the discourse ethics might yield, not an impartial consensus, but a 'common' opinion and will build on the neglect of the profound differences between the communicative actors. She insists, therefore, on the need to include into the proceduralist strategy a recognition of the other as a concrete particularity. As she sees it, the standpoint of the concrete other 'requires us to view each and every rational being as an individual with a concrete history identity and affective-emotional constitution' (1992b, p.159).

Habermas has pointed out, however, that this kind of critique of the abstractness of the idea of person recognised in the discourse ethics loses sight of the 'richness' of the theory's communicative and intersubjective presuppositions (Habermas, 1995, p.117). Underpinned by processes of ideal role taking, the discursive interaction is supposed to exhibit a lively and expanding sensitivity to the diverse points of view and to the particularity of the needs of concrete individuals. We have seen that, for liberalism, the procedural norms governing rational discourse seek to

contain the points of view of private individuals which might be tolerated in the name of a shared commitment to personal autonomy but might never claim public significance. Informed by the procedural norm of ideal role taking, Habermas' reading of the scope of the idea of public reason seeks, by contrast, self-clarification for, and in this sense enlargement of, the particular points of view brought to the discursive process. Benhabib's critique has underestimated, then, the extent to which the discourse ethics breaks with a liberal formulation of the idea of public reason. Unlike liberalism, discourse ethics repudiates the suggestion that the public use of reason is opposed, in principle, to the recognition of the significance of the specific interpretative point of view (Habermas, 1993, p.50). For Habermas, the 'we' which is reaffirmed or discovered through the processes of argumentation demonstrates the legitimacy of its articulation of intersubjectively shared traditions only so long as (while each party may interpret this representation of the generalised interest differently) it continues to be recognised by all as the 'best embodiment of their intentions, in a given time, in a given context, for the time being'.

I have suggested that Habermas' discourse ethics survives certain formulations of the contextualist critique. It can defend itself against arguments which target the supposed redundancy of the principle (U) with respect to the conceptual requirements of the theory itself. The critics have tended to neglect also the extent to which the theory seeks to reconstruct the terms in which concrete particularity registers its presence within the discursive process. Yet, can the discourse ethics finally evade those criticisms that target the merely ideological character of its defence of the universality principle? Can the theory survive, namely, challenges to its capacity to articulate more than the kinds of significances which *particular* cultures have invested in communicative competencies?

The general terms in which Habermas responds to reservations concerning the universalistic pretensions of the discourse ethics has already been evoked in an earlier part of the discussion. Habermas, we saw, conceives the theory as a reconstruction of the significance attached to the trans-culturally relevant fact that 'we humans acquire and sustain our identity by appropriating traditions, belonging to social groups and taking part in socialising interactions'. It is the communicative character of our social formation, the fact that we recognise and constitute ourselves in an on-going dialogic process, that makes a sceptical pluralist affectation of indifference to, or mere aestheticising appreciation of, the identity claims of the other a 'meaningless option'. Habermas goes on to argue that a recognition of the seeming intractability of our differences with others, an acknowledgement of the apparent untranslatability of our diverse language games, suggests that we have already implicitly engaged in a process of

building a shared frame of reference in terms of which the incompatibility of the several points of view might be registered (1993, pp.103-4).

As Habermas sees it, this implicit reconstruction of intersubjectively shared traditions capable of registering the terms of incompatibility finally rests on an acknowledgement that: 'Concepts such as truth, rationality and justification play the *same* role in every language community, even if they are interpreted differently and applied in accordance with different criteria' (1993, p.105). This fact is, he argues, 'sufficient to anchor the same universalistic concepts of morality and justice in different, even competing, forms of life and show that they are compatible with different conceptions of the good - on the assumption that the 'comprehensive doctrines' and 'strong traditions' enter into unrestricted dialogue with one another instead of persisting in their claims to exclusivity in a fundamentalistic manner (1993, p.105). Human difference is lifted out of seeming irreducibility by the discursively achieved recognition of the similar functions played by such abstracted concepts as 'truth', 'rationality' and 'justification' in every language game. In the end, then, the self-justification of (U), the supposed legitimacy of its pretension to a universalistic jurisdiction, refers back to this kind of presumption of the fundamental perviousness of language games. Habermas supposes that the distinctive universalistic scope of the (U) principle is an index to a human capacity to develop a 'bilingually extended identity' in which the 'languages and rationalities of conflicting language games are fused into a broadened scope of possible understanding' (1993, p.103).

There is, however, a conceptual shift occurring in this line of argument. Habermas has appealed to the idea of a trans-cultural human disposition in order to lend support to that notion, vital to the defence of the (U) principle, that we can meaningfully talk in terms of the search for generalisable human interests. The supposed fact of the sociable, dialogic, character of our identity formation is interpreted by Habermas to suggest that we humans are constantly developing an expanded self-interpretation via our on-going communicative interactions with differently located others. It seems, however, that a, more or less unproblematic, claim about the interactive character of human identity formation slides, in the course of this argument, into an undefended and controversial account of the significance of the process. There is, namely, within Habermas' conception of the importance of the communicative character of our identity formation a definite contrast being drawn between, on the one hand, a, supposedly inadequate, 'fundamentalist' retreat into the self-identity of particularistic identity descriptions, which appears as a block to processes of intercultural communication, and the flexibility of the 'bilingually extended personality'. In the final analysis, then, the universalistic significance that

Habermas seeks to draw from the identification of the centrality of communicative interaction to processes of human identity formation actually only points to the affirmation of a culturally specific realisation of the potentials of this human characteristic. The significance which Habermas attributes to the communicative character of our human identity formation gets its normative charge from the self-representation of that idea of the open, flexible, personality which liberal democratic culture has celebrated as its unique achievement. As the course of Habermas' own argumentation betrays, the significance of this essential human characteristic of a communicative identity formation is experienced in a range of diverse ways and, far from appearing as a universal response, the development of a 'bilingually extended identity' appears only as a culturally approved strategy for the accommodation of seemingly intractable difference.

The justification of (U) finally rests upon a problematic attempt to derive universal significance from the communicative character of human identity formation. Despite his efforts, Habermas' own attempt to reconstruct a normatively charged principle that, endowed with a quasi-transcendental status, does not merely give voice to the prejudices and aspirations of a given cultural context, fails. We must now begin to ask how this incoherency within the theory affects the capacity of the discourse ethics to deliver on his call for a normative justification for the principle of tolerance.

Reviewing the Search for Normativity

There are, as we have seen, two distinctive aspects to a discourse ethic interpretation of the idea of tolerance. In the first place, Habermas defends, while attempting to place on a radically new footing, a classical liberal conception of the universalistic scope of the tolerance principle. Second, discourse ethics rejects the private/public distinction that underpins a liberal account of toleration. Interpreted as the forbearance of the disinterested citizen towards the claims of the aspiring private individual, the liberal account of toleration is underpinned by an ideological conception of the supposed universality of a particular mode of self-sufficient, assertive subjectivity. Placing his own critical theory in the service of the damaged life, Habermas supposes that a defence of the principle of tolerance encompasses the defence of democratising discursive procedures and those informal and institutional arrangements that support them.

The discourse ethics specifically invests in the rationalising dimension of our post-conventional communicative interactions. It is interested, namely, in our efforts to make ourselves understood to strangers by a process of continual reflection upon and reinterpretation of those shared concerns through which private need claims seek to make themselves understood. We have seen that, in attempting to establish the rationality of his or her need and identity claims, the private individual also enriches his or her own self-understanding by means of processes of idea role taking. In their efforts to arrive at common ground, communicative actors must engage in a testing participation in the lifeworlds inhabited by others. It is in this sense that the rationalising processes supported by postconventional communicative interaction does not merely require, but also produces, the open, 'bilingually extended' personality.

Habermas has sought to use this diagnosis of the potentials of the rationalising dimension of our communicative interaction as the grounds upon which the principle of tolerance might be normatively justified. Yet, as we have seen, this attempt to derive the rationality of the toleration principle from a diagnosis of the procedural norms of our communicative interactions involves a significant conceptual leap. The principle of toleration offers itself as an interpretation of right conduct, hence as a particular investment in the *significance* of the open, bilingually extended personality. In the end, the idea of tolerance must be embraced as a choice; as a commitment to the defence of a particular, desirable mode of conduct. And in this sense, we cannot look to a mere reconstruction of the rationalising potentials of our processes of communicative interaction itself to supply rational justification for the principle of tolerance.

A version of the contextualist argument wins out, to suggest that, along with Mill, Habermas' attempt to rationally justify the universalism of the principle of tolerance confuses a specific description of the highest good with a universalistic one. Does Habermas' project of rational justification rediscover also that illiberal dimension that the critics have discovered in Mill's efforts at normative justification? According to Richard Dees, authoritarianism necessarily clings to the aporetic logic that informs the whole search for a rational justification of toleration. He makes the point that 'the acceptance of toleration is not promoted ... if we insist that toleration is rationally required. Such a view fails to take the beliefs of others into account, and so it fails to treat these individuals as the "self-authenticating sources of valid claims" as toleration itself requires' (Dees, 1999, p.687).

Yet, even if tolerance cannot be rationally justified in the strong sense intended by Habermas, the discourse ethics does nevertheless play an important part in an alternative, weaker, interpretation of this task. In

particular, the discourse ethics has a vital role to play in disclosing the attractiveness and potentialities of a life committed to the principle of tolerance. Breaking with a liberal conception of the split between the private and the public domains, Habermas' theory challenges the supposition that the idea of tolerance must be understood simply as an attitude of forbearance extended to the self-asserting private individual. On the discourse ethic interpretation, tolerance appears as a principled investment in those discursive procedures that enable the needy private individual to seek public recognition for justice of his or her claims. This interpretation of the idea of tolerance shows the centrality of its exercise to the building of the open, bilingually extended personality. Writing in another context, John Dewey describes the place tolerance, understood as a discursive norm, occupies in the elaboration of this desirable modern self. For him, free communication 'is a means of developing a free mind as well as being a manifestation of such a mind, and it occurs when there exists sharing, partaking, in common activities and enjoying their results' (Dewey, 1981-2, p.182).

Faced with the prospect that tolerance will become an increasingly 'diminishing resource' in modern societies, Habermas, as we have noted, requires the critical theorist to lend his or her services to the search for its normative justification. Yet, if he or she embraces the terms of Habermas' own interpretation of the character and the significance of this principle, the critical theorist might well consider him or herself charged with a different kind of responsibility. As we have seen, Habermas' theory demonstrates the extent to which the exercise of tolerance is entwined with, and requires the support of, informal and institutionalised democratic modes of interaction. Following this interpretation, the critical theorist accepts responsibility for clarifying this intimate connection and, in the process, demonstrating the centrality of the principle of toleration to a, treasured, democratic way of life.

Notes

1   Rawls attempts to save Mill's conception of human advancement as a description of the good for a 'well-ordered' society. Rawls, J. (1999), 'Fairness to Goodness' J. Freeman (ed), *Collected Papers*, Harvard University Press, Cambridge, Massachusetts, pp.267-286, p.280.

2   See Habermas' repudiation of the limits of a liberal interpretation of the public sphere developed in *The Structural Transformation of the Public Sphere*, The MIT Press, Cambridge, Massachusetts, p.86, p.127, p.131, p.135, p.179.

3   See Habermas' critique of J. Elster in *Between Facts and Norms* (1996), The MIT Press, Cambridge, Massachusetts, pp.165-166, pp.338-341.

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13 Syllogisms and Sociality: The Logical Bases of Practical Reason in Kant and Hegel

PAUL REDDING

The Role of Logic in Idealist Thought

The accepted twentieth-century view within analytic philosophy concerning the role of logic in German idealist thought was neatly and powerfully summed up by Russell: the new conception of logic initiated by Frege consigned to history Kant and his idealist successors such as Hegel, because it showed the logical errors at the centre of that approach. It was the inability of idealism's presupposed Aristotelian syllogistic logic to deal with relations, and its narrow conception of judgement as the simple categorical predication of concept to object that had spawned the absurdity of the 'absolute' as the ultimate truth, the ultimate object of all predications.[1]

While not proceeding from the same perception of the logical deficiencies of Hegel's thought, the criticisms of Hegel articulated by post-structuralists during the last third of the twentieth century nevertheless have had a similar ring to those of their analytic counterparts. Hegel, it has been commonly argued, had no means of dealing with the singularity or 'otherness' of other agents, relentlessly subsuming them within conceptually structured totalities. The practical manifestation of sacrifice of particulars to the absolute as the ultimate object of all predications is the sacrifice of individual moral subjects to some totalising world process developing itself within history, a sacrificing all-too-readily observable in various political ideologies of the nineteenth and twentieth centuries.

As a criticism of Kant, we might see Russell's charges as clearly misplaced. Within Kant's 'transcendental logic', concepts are not 'applied' to the world as such, but to the contents of specifically non-conceptual representations: intuitions. It was this that allowed Kant, as Richard Rorty

has suggested, getting around some of the limitations of Aristotelian logic and epistemology. With the appeal to the logical coherence amongst judgements within the 'transcendental unity of apperception', Kant was able to break with the older idea of knowledge as modelled on the perception of singular objects, and approach the twentieth-century view of knowledge as a 'relation to propositions'.[2] But applied to Kant's successors such as Hegel, Russell's criticisms have seemed more on target.

Standing oddly alongside Kant's 'Copernican' criticisms of traditional philosophy were his explicit views on logic, in particular his view that since Aristotle logic 'has not been able to advance a single step, and is thus to all appearance a closed and completed body of doctrine' (Kant, 1929, B, viii). It seems precisely Kant's employment of the Aristotelian syllogism in the 'Transcendental Dialectic' to capture the way judgements are bound into patterns of inference that refers back to the tradition of pre-critical thought, opening the way for the re-emergence of the spectre of the absolute in the form of Platonic 'ideas'. Kant himself could contain this by limiting the 'ideas' of reason to a 'regulative' and non-constitutive role in knowledge. For Kant 'ideas' were concepts, 'transcendental' concepts, and concepts were rules for synthesis. In the context of the understanding, these are rules for the synthesis of intuitions into judgements. But Kant conceived of inferences as something like higher-order judgements, which 'synthesise' first-order judgements. Thus, those concepts operative at this supra-judgmental level, the 'ideas', had no independent intuitive content to which they could apply. To think of these ideas as 'constitutive' or knowledge-forming would be to conceive of them as presenting some ultimate objects to our mind - Platonic archetypes - and to do so would be to lapse back into thinking that we could derive knowledge of 'things in themselves' from concepts alone, and so circumvent the realm of empirical appearance. Hegel, of course, rejected any such limitation, and thereby seems to have had nowhere to go but back into the older metaphysical doctrines that Kant was in the process of overturning.

Or so it seemed. Recently, such a way of construing Hegel's treatment of the logic of 'reason', and its insistence on the 'constitutive' nature of ideas has been turned on its head by some interpreters who have construed Hegel as adumbrating a type of proto-pragmatist 'inferentialist' approach to the intentional content of thought.[3] Robert Brandom, for example, describes Hegel as having reversed the Kantian dependency of inference upon judgement and thereby having drawn the full implications of Kant's 'Sellarsian' insight that judgements gain their conceptual contents in terms of places occupied within the inferential 'space of reasons'. If one frees Kant from his residual reliance on the Cartesian 'myth of the given', one will move to a position that regards assertions or judgements as,

'fundamentally fodder for inference' (Brandom, 1999, p.168). From this perspective, then, the conventional view of the relation of Kant to Hegel is reversed: 'The subtlety and sophistication of Kant's concept of representation is due in large part to the way in which it is integrated into his account of the inferential relations among judgements'. However, '[i]t remained for Hegel ... to complete the inversion of the traditional order of semantic explanation by beginning with a concept of experience as inferential activity and discussing the making of judgements and the development of concepts entirely in terms of the role they play in inferential activity' (Brandom, 1999, p.92).

Assigning such priority to inferences over judgements in this way must involve a rejection of the type of conception of inference that Kant put forward in the transcendental dialectic of the *Critique of Pure Reason*. For Kant, inferential relations effectively fell outside of the proper scope of transcendental logic, the logic within which conceptual structures were dealt with within the constraints of their application within experience, and hence belonged to formal or 'general' logic only. Correspondingly, Kant treated inference as necessarily a species of analytic judgement holding in virtue of purely conceptual relations.[4] But as the inferentialist thinks of inferential relations as somehow contributing to the conceptual contents of *judgements*, on the inferentialist account this analytic view of inference must clearly be given up. But what should take its place?

Here I wish to suggest an inferentialist approach to Hegel that takes its cue from the way that the early pragmatist C.S. Peirce responded to Kant's transcendental logic, and which interprets Hegel's inferentialist move as one which makes available to inferences the 'synthetic *a priori*' status that Kant had granted to judgement, but denied to inference.[5] Such an approach would involve invoking some 'third' playing a role at the level of ideas and inferences analogous to that played by Kantian 'schemata' at the level of concepts and judgements, a third effectively 'schematising' inferences and allowing their conceptual structures to be brought into contact with 'intuitable' worldly appearances.[6]

Kant's theory of schematism had been necessitated by the consequences of his rejection of the classical empiricist account of concept formation. While empiricists had typically thought of empirical concepts on the model of image-like sensory impressions, for Kant, concepts were essentially *rules* linking judgements. But by undercutting the simpler empiricist model, Kant had generated the problem of the application of concepts in experience. How were concepts applied to intuitions given the 'heterogeneity' between concepts, on the one hand, and those immediate and singular sensory 'intuitions', Kant's closest counterpart to empiricist impressions, on the other? For Kant, the 'rules' constituting concepts were

rules linking concepts to other concepts in relations of super - and subordination and could not themselves account for the application of those concepts in judgements to the appearances given in intuition. 'General logic contains, and can contain, no rules for judgement'.[7]

The task of giving an account of the application of concepts now becomes one for *transcendental* logic because transcendental logic brings into consideration those non-conceptual conditions of experience, the *a priori* formal conditions of sensibility. Within transcendental logic this task is given to the activity Kant calls 'schematism': 'This formal and pure condition of sensibility to which the employment of the concept of understanding is restricted, we shall entitle the schema of the concept. The procedure of understanding in these schemata we shall entitle the schematism of pure understanding'. But the facultative source of this activity is ambiguous: schematism is an activity of the understanding but 'the schema is in itself always a product of imagination' (Kant, 1929, A140/B179).

Inference, however, falls properly outside the scope of transcendental logic and Kant is insistent that reason, the faculty of inference, cannot find any schematic application to the empirical realm in this way: 'pure reason leaves everything to the understanding - the understanding alone applying immediately to the objects of intuition, or rather to their synthesis in the imagination' (Kant, 1929, A326/B382-3). Hence the principles of reason, the principles governing inference, could not be constitutive of objects in any way they could play only a *regulative* role in relation to the activity of the understanding.

From the interpretation being suggested here, then, we can see Hegel's inferentialist move as one of bringing inferences and their 'ideas' within the scope of imagination, allowing those conceptual structures we think of as 'inferences' and not merely 'judgement' to find an application within the realm of appearances, and hence allowing such 'ideas' a constitutive and not just a regulative role in cognition. It is this that can lead Hegel to treat all sorts of complex empirical phenomena from the interaction between a master and a slave to the structure of states as 'syllogisms'. Put in another way, we might say Hegel's move makes inferential structures immanent within the realm of phenomena, makes them part of 'the intellectual form of experience', in the way that Kant had done for the structure of judgements.

One benefit of approaching Hegel in this way consists in the light it promises to shed on the relations between Hegel's two great projects, his phenomenology and his logic. Internalising inferential relations between concepts within the domain of Kantian 'phenomena' would radically change the way the phenomenal realm is conceived within the critical

paradigm, and could be seen as the move which opens up that realm to Hegel's project of 'phenomenology'. Here, however, I want to restrict an examination of the consequences of Hegel's inferentialism to a more modest scope. What I want to suggest is that it is the inferentialist move that allows Hegel to purge the Kantian phenomenal realm of that residual Cartesian dimension which still affects it, thereby freeing other phenomenal subjects from a reduction to the status of objects of judgement. Seen in this way then, it might be argued that it is Hegel, and not Kant, who should be regarded as the philosopher sensitive to the alterity of others, and that this is a consequence of, rather than being in spite of, the peculiarity of his logical thought.

Syllogisms of Practical Reason

In the *Critique of Pure Reason,* Kant describes the syllogism as a structure that displays the relation between the judgement and its 'principle' or 'ground'.[8] Starting with an empirical judgement - 'Gaius is mortal' - the faculty of reason allows us to construct a syllogism of which this initial judgement is the conclusion - 'All men are mortal, Gaius is a man, therefore Gaius is mortal'. Thus the 'ascending' movement from conclusion to major premise reveals the principle or ground of that judgement: it is Gaius' humanity that explains the fact of his mortality. In Kant's words, 'reason, in its logical employment, seeks to discover the universal condition of its judgement (the conclusion) and the syllogism is itself nothing but a judgement made by means of the subsumption of its condition under a universal rule (the major premise)' (Kant, 1929, A307/B364).

Of course, any principle so discovered will itself have the form of a judgement and so reason can now pose the question of *its* grounds - that is, pose the question of the 'condition of the condition' - and in answering this reason will now construct a further syllogism on top of the first such that the conclusion of the new syllogism is the major premise of the original. We can see then that the activity of reason can issue in an ascending 'prosyllogistic' chain and the question will naturally arise as to whether thought will ever reach an end of this ascent, will ever reach the ultimate *unconditioned* condition of all that is represented 'below' it. It is consistent with the Platonic imagery of all this Kant will identify the termini of such ascending prosyllogisms as the 'ideas' of reason.[9]

As noted above, to think of such ideas as 'constitutive' or knowledge-forming was for Kant equivalent to conceiving of them as presenting some ultimate objects to our mind - Platonic archetypes - and so as lapsing back

into thinking that we could derive knowledge of 'things in themselves' from concepts alone, circumventing the realm of empirical appearance. Nevertheless, despite the fact that we can never know the 'unconditioned' ultimate conditions of our experientially sourced knowledge, reason demands that we think of our understanding as unified: it demands that we strive to find that 'unconditioned whereby its unity is brought to completion.'[10] What we must do is to understand these principles of pure reason as regulative, not constitutive.

Importantly, while Kant regarded Platonic archetypes as paradigms of those illusory objects of dogmatic metaphysics at which his critique was aimed, he nevertheless regarded Plato's attempt in *The Republic* to construct a whole theory of the state on the basis of such archetypes as well motivated. The ideas must simply be placed 'in a proper light' and grasped as objects of *practical* rather than theoretical reason, a move which will allow us to understand Plato 'better than he ... understood himself' (Kant, 1929, A314/B370 and A316/B373). From the practical point of view there is an internal relationship between the ideas of reason and the constitution of a state which would allow '*the greatest possible human freedom* in accordance with laws by which *the freedom of each is made to be consistent with that of all others*' (Kant, 1929, A316/B373). Clearly, then, the origins of Hegel's logically based approach to practical philosophy were immanent with Kant's approach to practical philosophy, but in a way such that the path from Kant to Hegel is blocked by Kant's analytic approach to inference.

Kant's attempt to place Platonic ideas in their 'proper light' is thematic in such works as the *Groundwork of the Metaphysics of Morals*, the *Critique of Practical Reason*, and the *Metaphysics of Morals*, works in which it is a question of the determination of action, or more precisely, the subjective intentional *maxims* of action, rather than that of the determination of objects of knowledge, that is at issue. And here too, we find something like syllogistic patterns of inference - here understood as practical inference - at the centre of Kant's analyses.

It the *Groundwork* Kant declares that moral concepts, rather than being derived from experience, have their seat and origin completely *a priori* in reason (Kant, 1997, p.411). For us humans, of course, reason is not the sole determination of the will, and so that which issues from reason in our case must take the imperative form of commands, which can be either hypothetical, 'which represent the practical necessity of a possible action as a means to achieving something else that one wills' or categorical, 'which represent an action as objectively necessary in itself' (Kant, 1997, p.411).

Kant was most concerned, of course, with the categorical imperative, but it is the hypothetical imperative, and in particular the 'imperative of

skill' that perhaps most directly shows how logic, from Kant's point of view, is able to *determine* the will. An imperative of skill commands us to act in a such and such a way in order to achieve such and such a determinate end: its form will be 'if you desire y, then do x'. Logic enters here at the point of the relation between ends and means. Thus, according to Kant, for beings for whom reason has an influence on their actions, 'whoever wills the end also wills... the indispensably necessary means to it'. That is, to the extent that one strives for rationality, one must, if one wills an end, will the means necessary to achieving it. Moreover, this proposition is 'as regards the volition, *analytic*; for in the volition of an object as my effect, my causality as acting cause, that is, the use of means, is already thought' (Kant, 1997, p.417). Thus, parallel to the case of theoretical reason, Kant here too essentially treats inferences as meta-judgements which are analytically true in virtue of the purely conceptual relations involved: 'the imperative extracts the concept of actions necessary to this end *merely from the concept of a volition* of this end'.[11] One might add, however, that the analyticity of the relation between the concept of an instrumental action and the concept of its volition has the consequence that it could be equally said that the imperative likewise extracts 'merely the concept' of the instrumental action itself. That is, in terms of its participation within the inferential chains of practical reason, the concept of the action will be a necessarily *unschematised* one, having itself no connection with a phenomenal presentation of that action.

Indeed, this same result is reached from the direction of the account of theoretical knowledge in Kant's first *Critique*. There Kant's idea of the schematism of concepts allows him to think of the phenomenal realm 'mathematically' and 'dynamically'. Essentially, to think of the phenomenal world in the former way is to think of it as an extended 'world', to think of it in the latter, as a realm of 'nature' states of which are lawfully connected - essentially a Newtonian conception of nature.[12] From this perspective the human world would have to be thought of as, in some way, Newtonian. This is confirmed in the *Groundwork* where he notes that: 'as only a part of the world of sense [actions] would have to be taken to conform wholly to the natural law of desires and inclinations' (Kant, 1997, p.454). Like other things in nature, actions would be regarded as working 'in accordance with laws', but not as working on the basis of, or '*in accordance with the representation*' of laws, that is, not in accordance with 'principles'.[13] This is the 'disenchanted' nature of the modern scientific world-view that Hegel describes in the *Phenomenology* as 'indifferent to moral self-consciousness, just as the latter is indifferent to it' (Hegel, 1977, p.599).

Hegel sees as a consequence of this 'indifference' between the external phenomenal realm and the determinations of 'moral self-consciousness' the incapacity of this form of practical subjectivity to 'act'. 'I act morally when I am conscious of performing only pure duty and nothing else but that; this means, in fact, when I do *not* act' (Hegel, 1977, p.637). What Hegel presumably means is that from within the moral point of view there can be no phenomenally manifested act that is able to be acknowledged or evaluated (by the self or by any other) *from* that moral point of view as its own. This type of dichotomising of inner and outer realms, the world of the thinking mind and the world of the acting body, is just what Hegel criticises in Kant's 'logic of the understanding', and his logic of reason, an inferential logic with the capacity to schematise 'syllogistic' conceptual structures to the phenomenal world, is meant to provide a way in which rational and free agency can be recognised in the realm of phenomena.

Hegel's Critique of Kantian 'Formalism'

Hegel's criticism of the moral point of view in the *Phenomenology of Spirit* as well as in the later *Elements of the Philosophy of Right* is articulated around a claim linking the inactivity of the moral consciousness to the 'formalism' of Kant's approach to morality and specifically to the emptiness of its 'pure' duty, a duty 'pure in the sense that there is nothing in it, no specific content that is a duty' (Hegel, 1977, p.643). This emptiness, Hegel claims in *Philosophy of Right*, results from the attempt to reach some content for morality from the mere 'law of contradiction' from which, he implies, Kant derives the categorical imperative (Hegel, 1991, § 135 remark). Kant does in the *Groundwork* speak of the propensity of maxims based on the principle of self-love to contradict themselves when taken as universal laws (Kant, 1997, pp.422-424), although defenders of Kant have argued that the contradiction involved here need not be seen as explicitly *logical* contradiction.[14] We might take this charge of emptiness and its link to the principle of contradiction in a wider sense than Hegel presents it, however. The law of contradiction is, of course, the logical principle behind the determination of analytic truth (a truth being analytic when its denial results in self-contradiction). If practical inference is regarded, as Kant seems to so regard it, as a form of analytic judgement that is based purely on unschematised relations between concepts, and if the concept of action this results in is thereby denied the resources of the imagination whereby it may be applied to the world,[15] then the results of all practical reasoning, both moral and prudential, will, according to Kant's account end somewhere short of action.[16] The moral subject exemplifies a

subject meant to be capable of 'acting for reasons', and its incapacity to 'act' *as* a moral subject seems to exemplify the incapacity of all such 'acting for reasons' to be given a recognisable form of phenomenal presentation in Kant.[17]

To this charge the Kantian might reply that it misconstrues the significance of Kant's own distinction, in the *Groundwork*, between the adoption of the practical and the theoretical standpoints. There, Kant notes, that a rational being 'has two standpoints from which he can consider himself and recognise the laws of the employment of his powers and consequently of all his actions: first, as belonging to the world of sense under laws of nature (heteronomy), and second, as belonging to the intelligible world under laws which, independent of nature are not empirical but founded only on reason' (Kant, 1997, p.452). According to Christine Korsgaard, for example, Kant's point concerning the standpoint from which one acts freely being distinct from the theoretical standpoint concerns the fact that acting freely involves the adoption of a type of commitment to and identification with the act. It 'is not that you must believe that you are free, but that you must choose as if you were free... [it] is not about a theoretical assumption necessary to decision, but about a fundamental feature of the standpoint from which decisions are made' (Korsgaard, 1996, pp.204-205). In short, what is distinctive about the practical standpoint is the fact that from it one assumes a certain orientation towards one's own actions in which one takes responsibility for them. Furthermore, its adoption implies standing in a similarly practical rather than merely descriptive or explanatory ('theoretical') orientation towards others. It is from this practical standpoint that 'reason' demands that I regard others not as means to my end, because such a maxim would fail the test of the categorical imperative, but as 'ends in themselves', as free agents capable of setting and pursuing ends. Korsgaard stresses the role of the 'second-person grammatical form' implicit in the practical viewpoint. On the one hand, while the laws of the phenomenal world 'describe and explain our behaviour', those of the noumenal world 'are addressed to us as active beings; their business is not to describe and explain at all, but to govern what we do'. And when we adopt a practical orientation toward others as responsible agents, holding them answerable for their actions, our relevant utterances are not about them but rather directed to them, in the same way (Korsgaard, 1996, pp.204-205).

Korsgaard's interpretation of Kant here is, like a number of other recent reinterpretations of Kant, motivated in part by the attempt to save him from the type of 'emptiness' charge classically found in Hegel but repeated by many others since. Here I do not want so much to evaluate the degree to which Korsgaard's account frees Kant from Hegelian criticisms as to bring

her interpretation of Kant to bear on Hegel's *own* response to what *he* takes to be the dilemma of the Kantian moral standpoint.

For Kant, to adopt the practical rather than the theoretical standpoint is to subsume one's act under the transcendental 'idea of freedom', one of the pure concepts of reason. Furthermore, in my moral orientation to another regarded likewise as a moral being, I must subsume them under the same idea. Thus to so act 'under the idea of freedom' is to assume a certain identity of a free being, to adopt an orientation to the self and others as 'intelligible characters' responsible and answerable for those worldly phenomena they have caused in their action, that is, as equal members of the 'kingdom of ends'.[18] It is here that there seem broad similarities between such an understanding of the Kantian idea of acting under the idea of freedom, and Hegel's idea of the assumption of normative agentive identity in an act of *Anerkennung* - 'recognition' or 'acknowledgement'.[19] But for Hegel, as he makes clear in his many criticisms of the 'formalism' of Kantian morality, the idea of the 'intelligible character' of a free moral agent is abstract and contentless. In contrast, his account of *Anerkennung* is rooted in a theory in which *socially* categorised agents act under distinct *concepts* of some institutionalised identity. As Terry Pinkard has put it, for Hegel self-consciousness always involves the assumption of a position in 'social space' (Pinkard, 1994, p.7).

Hegel's notion of '*Anerkennung*' is introduced, famously, in the chapter of the *Phenomenology of Spirit* in which he describes the relationship between a 'master' and his 'slave' that emerges out of a life and death struggle when one of the antagonists accepts a life of servitude over death, and Hegel introduces it precisely in the context of an attempt to capture the conditions that are necessary for that relation to self that, following Kant, he calls 'self-consciousness'. Hegel's key claim is that such a relation to self in self-consciousness can never be direct, it must always be mediated through a recognitive relation to an other.

> A self-consciousness exists *for a self-consciousness*. Only so is it in fact self-consciousness; for only in this way does the unity of itself in its otherness become explicit for it ... A self-consciousness, in being an object, is just as much 'I' as 'object'. With this, we already have before us the Notion of *Spirit*. ... Self-consciousness exists in and for itself when, and by the fact that, it so exists for another; that is, it exists only in being acknowledged. (Hegel, 1977, pp.177-178)

Importantly, this idea of '*Anerkennung*' has for Hegel a conceptualising or interpretative dimension. Thus the slave 'recognises' or 'acknowledges' his master *as* a master, that is, subsumes him under that social concept, thereby committing himself to a certain type of future relation to him. And

the internal conceptual links between the concepts 'master' and 'slave' ensure that this recognition is simultaneously a form of *self-recognition*: acknowledging another as one's master amounts to an act of acknowledging oneself *as* a slave. But the act also has a type of performative dimension, akin to making a promise. Such conceptualisations are not in the service of simple description: to acknowledge self and other in terms of such concepts amounts to a *commitment* to a form of life articulated by those concepts. And this must, in some deep sense, reflect an act that is freely undertaken, giving rise to the idea that there is a sense, for Hegel, that *any* action performed 'under the concept' of a concrete normative role partakes of the kind of freedom (even for a slave!) that Kant alludes to when he describes moral action as performed 'under the idea of freedom'.[20]

It is this stress on the participation of concrete and institutionally supported social roles in individual identity that now allows Hegel to address the 'action problem' facing the Kantian moral subject, as social subjects act by carrying out the types of publicly recognisable actions that are customarily linked to their social identities. Thus in antiquity there were identifiable ways of life that were characteristically led by masters, slaves, and so on. This focus, together with Hegel's related notion of 'ethical substance' (*Sittlichkeit*), has led many to the mistaken picture of Hegel as a 'communitarian' abstractly opposing (and favouring) the type of concrete social identities ascribed to pre-modern cultures like that of the ancient Greeks, roles into which the individual subject is 'absorbed', as it were, to the type of modern individualist aspects of existence apparent in the Kantian conception of the moral subject. But Hegel's attitude to the modern 'autonomous' subject of Kantianism is far more complex than this.

Hegel's opposition is certainly not to the *practice* of morality (a practice perhaps involving the type of 'second person' relations that Korsgaard describes). It is rather to the conception of morality as an essential capacity of metaphysical beings (noumenal selves). For Hegel, morality, considered as a *practice*, is an historical product that depends on the development of certain social practices and institutions capable of supporting what he refers to as individual 'selves'. Such 'selves' simply did not exist in the Greek world, but only first came into existence with the development of the legal status of 'personality' ascribed to the individual subject under Roman law - a type of universal status in which the individual was acknowledged *as such*, not simply by other individuals, but by the 'universal', the *law* of the community (Hegel, 1977, pp.477-479). However, the society in which this first self appeared was one in which the type of 'ethical substance' characteristic of the ancient polis had been lost.

If his narrative had stopped here, Hegel would have 'solved' the 'action problem' only at the cost of a contradiction. The social roles of the ancient 'ethical' community could provide a content for ethical action, but there, no actual 'self' was involved, the individual being 'purely the *formal* moment of the action as such', an action whose content was 'the laws and customs which, for the individual, are those of his class and station' (Hegel, 1977, p.468). On the other hand, the 'self' that had emerged in the Roman empire could not call on the 'laws and customs' of 'class and station', the stuff of *Sittlichkeit*, to supply a recognisable *content* for action. But of course Hegel's narrative in the *Phenomenology* does not stop there.

Hegel characterises this latter type of universally acknowledged subjectivity with the same 'formal' and 'empty' epithets that he uses later in the *Phenomenology* for the Kantian moral subject, but it is crucial that when he later comes to discuss the moral viewpoint itself, he does not regard that moral consciousness even *as a self*. For the subject of Roman law, there was at least an external law which could 'recognise' this abstract subject in its formulations, but the moral subject, as 'self-legislating', has *internalised* that law, and Hegel, like the later Wittgenstein, considered the idea of individual self-legislation, following a rule that one had individually given oneself, as incoherent (Wittgenstein, 1953, § 202). On the other hand, the moral consciousness, because of the *content* problem of self-presentation to others as an agent, can neither be recognised by those *particular* others.

In his lengthy treatment of the problems of the moral standpoint in the *Phenomenology* Hegel traces the variety of conceptual contortions the moral consciousness might go through to escape the underlying problem of the 'indifference' of the phenomenal and noumenal worlds, but it is clear that for him there can be no escape within the framework of the moral point of view. The collapse of this outlook leads in his narrative to the emergence of an outlook that he describes as 'conscientiousness', an outlook characteristic of those romantics who, reacting against the impersonality of the Kantian idea of pure duty, placed moral emphasis rather on personal conviction, authenticity, and being 'true to the self', and felt the need to express this conviction to others with whom they stood in close and intimate relationships.[21] The fundamental difference between the Kantian moral consciousness and the romantic conscientious agent is that the latter has an intentional content for their action (that dictated by their individual conscience) and so can act and has, thereby, a type of existence *for* others that the moral consciousness lacks. Hegel describes the conscientious agent as third form of individual 'self' encountered in a series starting with the legal person (Hegel, 1977, p.633).

In Hegel's discussion of the conscientious agent he broaches the question of exactly *what* it is that gives such an agent a phenomenal presence to others *as* agents, that is, as beings capable of acting for reasons. Significantly, it is not the act *as such*; rather, it is the agent's attendant verbal activity, their *declaration* to others of the conviction, which, they claim, is the true source of their action.[22] As did the moral consciousness, the conscientious agent soon discovers contradictions within this standpoint, and the romantic community of 'beautiful souls' in turn collapses. Nevertheless, something has been achieved in this form of romantic proto-community that forms the infrastructure, as it were, of more successful forms of modern, and moral, 'selves': the conscientious agent is a communal one who *offers justifications to others* for her own actions in declaring her convictions or her own conception of duty, and in this sense the romantic community introduces a model for a qualitatively new form of *Sittlichkeit*. As Terry Pinkard puts it, 'What was the universality of rational agency for the subjective idealists is pictured by the romantics as the concrete unity of humanity united in its mutual respect for each other's own point of view, of each heeding their own consciences' (Pinkard, 1994, p.211).

It would seem, then, that Korsgaard's reciprocally and 'dialogically' relating agents, holding themselves and others answerable for the actions approximate more to Hegel's romantic conscientious subjects than to (at least Hegel's version of) Kantian moral consciousnesses, who are necessarily 'dumb'.[23] For Hegel, the limits to this romantic solution to the problem of Kantian subjectivity is their refusal to accept the need for any distinctive types of social practices and institutions capable of supporting the types of selves they aspire to be.[24] But the romantics' choice between social institutions and a pursuit of a life as individual selves is a false one: it is based on the assumption that the only form of *Sittlichkeit* was that 'immediate' form found in pre-modern communities. For Hegel, the institutions of modern life had been transformed, however, by the atomising effects of the market, a realm which gave a substance to the hitherto empty legal persons of Roman law. Hegel seems to think such transformations as leading to the emergence of new types of institutional support for these new types of selves able to commit themselves to the moral identity prefigured by the romantics, the type of moral identity that involved the preparedness to justify one's actions by giving reasons to others for having so acted.

It is with this move that we might now start to see how Hegel can be regarded as an 'inferentialist' of sorts, at least with regard to understanding how to think of the 'content' of an action. Like the romantics, Hegel thinks of the issue of the rational *grounds* of action as linked to the need for those

grounds to find expression to others in the attempt to secure the recognition of their legitimacy. But unlike the romantics he does not think of this as external to the question of *having* grounds for acting, it is not a type of added need to procure the acknowledgement of something that is somehow determined by the agent's own subjective certainty. For Hegel being an agent who is capable of acting for reasons is dependent on belonging to relations of reciprocal recognition in which one commits oneself to meet external demands for justification. That is, the capacity for 'acting for reasons' is dependent on the capacity for asking for, giving, and reflecting on reasons in dialogical practices.[25] It is this potential belonging to such inferential chains of ground-givings that gives them their rational form. Their rationality does not derive from anything that can be conceived in isolation from those social relations such as their deducibility from a categorical imperative or their apparentness to the agent in some immediate act of introspection.

The Path From Kantian to Hegelian Syllogisms

I have described Hegel's critique of Kant's logical thought as involving something like the schematising of inference such that inferential relations can be applied to the world in a way that allows the capture of acting for reasons. As it is the relations of recognition that provide the context in which acting for reasons becomes possible, it might now be understood why Hegel insists on calling determinate patterns of such relations 'syllogisms'. Acting for reasons might be thought of as rule-governed, an act akin to the application of a concept in a judgement; that is, as a manifestation of *practical* judgement. Syllogisms show the grounds of judgements, and so the recognitive structures which ground judgements will be syllogistic. Thus when he introduces the notion of *Anerkennung* in the context of 'master-slave' dialectic Hegel uses 'syllogistic' language for this relationship, each being described as the 'middle term' through which each mediates itself with itself and unites with itself, that is, through which each becomes related to its self in the mode of 'self-consciousness' (Hegel, 1977, p.184). This syllogistic reference of this language of 'middle term' is made more explicit in the description later in the same chapter where Hegel describes a particular form of religious interaction between a ministering priest and an individual subject being ministered to (the so-called 'unhappy consciousness') as a:

> syllogism in which the singularity (*Einzelheit*), initially fixed in its antithesis to the in-itself, is united with this other extreme only through a third term.

Through this middle term the one extreme, the Unchangeable [consciousness], is brought into relation with the unessential consciousness which is equally brought into relation with the Unchangeable only through this middle term; thus this middle term is one which [re]presents the two extremes to one another, and ministers to each in its dealings with the other.[26]

The background syllogistic references here are clear enough: what is going on concerns the need of a 'singular' subject to relate to, bring itself under, a universal - God's will or law as the 'Unchangeable' - and this is mediated by a 'particular', the mediating priest; such a 'Universal-Particular-Singular' notation being just Hegel's modification of the way Aristotle represents the structure of those 'perfect' syllogisms in the first figure. In these dynamic social relations of the slave and the unhappy consciousness to their particular others, they thus relate to those others as bearers of something universal and authoritative, in the case of the master, death itself, in the case of the priest, the will of a transcendent God. These cases seem to be presented as models of how an individual - the master, the priest - can be regarded as a finite particular, like the regarding self, and yet as bearer of a source of authority which escapes particularity and finitude.

These simple forms of recognitive relation found in the master-slave and unhappy consciousness examples are, of course, only partial and one-sided forms of *Anerkennung*, and the series of recognitive forms develops through more complex and, importantly, *reciprocal*, forms of political, moral, and religious community, such as we have seen in the romantic community of conscientious subjects. In all these cases it is clear that for Hegel such forms of community with its norms are *constituted* by the acts of acknowledgement in which each acknowledges the other in terms of some conceptually designated normative role, despite the fact that these norms might seem to the participants to originate from elsewhere.[27] We can see this in the case of the unhappy consciousness. One of the lessons of this form of consciousness, although not learnt, at least explicitly, by that consciousness itself, is that the unhappy consciousness is itself the source of the authority that is projected onto its transcendent God. The surrender of its own will when it hands over all decision on how to act to its priest constitutes a *positive* action, namely, 'the positing of will as the will of an "other", and specifically of will, not as a particular, but as a universal will'. In short, the source of all its norms, the will of god, is its own posit (Hegel, 1977, p.230).

The later type of religious community that evolves out of the structures of moral consciousness and conscientious agency, and which will be based on the relation of mutual forgiveness, will likewise have this feature of positing its own norms. Here the structure has become more complex, however, because the simple, one-way oppositions existing in the master-

slave and priest-unhappy consciousness relationships have been made into a doubled, bi-directional one.

Romantic espousals of conviction are able, from the point of view of the other to whom the conviction is expressed, to be taken as false and hypocritical, and within this practice a situation can develop in which one partner assumes the role of judge of the others motives, essentially playing a role akin to that of the priest, *qua* representative of the norms, here, those norms according to which the other's espousals and actions are judged. But judging *itself* can, from the other's point of view, be regarded as a particular act and so as capable of being judged by the norms which it ostensibly represents. Reconciliation between these two opposed positions can only come when each recognises *in* the transgressions of the other, the gap between their own performances and the norms their performances are meant to embody. That is, each has to be for the other *both* representative of the norms from which an act can be judged *and* potentially transgressing actor who is able to be judged by those norms.

Hegel draws together philosophical and religious terminology here to capture the complexity of this dual, reciprocal act of the reconciling 'Yea' in which the transgressions inherent in the other's (and the self's) particularity are negated in forgiveness. What is given birth in this act is both 'the *actual* I', something like Kant's transcendental self become actualised, and 'God manifested in the midst of those who know themselves in the form of pure knowledge' (Hegel, 1977, p.671). The relationship of mutual forgiveness, it seems, has brought God as the absolute authority into the world from the transcendent position it occupied for the unhappy consciousness, and Hegel's narrative passes on to describe an historical series of religious forms, the most immediate structures of 'absolute spirit'. This series eventually comes to Christianity, a religion with a God who became a man afflicted by finite particularity and who suffered the fate that befalls finite particulars, only then to be resurrected to live as spirit in the memory of a community that preached love and mutual forgiveness in his name. But this religious story is itself an image-language account of a truth to be 'bootstrapped' into and made explicit within the conceptual form of the 'absolute knowing' of philosophy.

What is relevant for us about this complex narrative is the way in which those original apparently unidirectional 'syllogisms' of the master-slave and the priest-unhappy consciousness are transformed into bi-directional structures in which each recognises the other *both* as finite particular who submits themself to norms *and* representative of those norms themselves. This religious community of mutual forgiveness had been pre-figured by the romantic moral community of conscientious 'beautiful souls' and, presumably, itself prefigures some philosophical account of a community

in which the members grasp themselves as collectively the creators of the norms which govern them and to which they submit their finite actions and beliefs, a community we might think of as itself pre-figured philosophically by Plato's republic, Rousseau's social contract, and Kant's kingdom of ends.

Perhaps we can now see how such social organisations that Hegel understood as syllogistic might emerge from Kantian syllogisms - not those of the first and second *Critiques*, but those of the third, the *Critique of Judgement*, which are implicit in Kant's discussion of the grounds of aesthetic judgement (Kant, 1987). For example, in the first sentence of paragraph 6 of that work, Kant notes that if an individual subject is aware that their liking for something is without interest, then they must regard the thing itself as containing the *ground* for its universal liking. 'If someone likes something and is conscious that he himself does so without any interest, then he cannot help judging that it must contain a basis for being liked [that holds] for everyone.' We might see this movement from consequence to ground as akin to the regressive movement from conclusion to major premise in the earlier treatments of the inferences of theoretical or practical reason. In the next (long) sentence, however, Kant shifts to regarding not the thing so much as the *subject's freedom in judging* as the grounds of that shared disinterested liking, and, crucially, this freedom is something that can be *presupposed* in others. Thus: 'the judging (person) feels himself fully free in consideration of the pleasures which he devotes to the object: in this way then he can discover no private conditions as the grounds of liking on which he alone is dependent, and must regard it grounded in something that he can presuppose in each other person'. This freedom in judging attributed to others is now the basis on which the judge can demand agreement from others. 'Consequently [this judge] must believe he has grounds to demand a similar liking from everyone' (Kant, 1987, § 6, translation has been modified).

In the first *Critique*, the ideas of pure reason had been suggested through a uni-linear 'pro-syllogistic' regression from a judgement through a series of increasingly general grounds, invoking a totality of all those conditions as the 'ungrounded ground' of the original judgement. The treatment of judgements of taste in the third *Critique*, however, suggests a very different conception of such an 'ungrounded ground' of judgement. While in the first *Critique* the totality of grounds is clearly associated with the notion of the formal unification of all true judgements in the 'transcendental unity of apperception', in the third, it rests on a different model of common-mindedness, one more bound up with the idea of a form of an actual community in which subjects adopt a type of 'intentional stance' towards others, holding them to be free intentional agents in their

judgements. And while the transcendental unity of apperception of the first *Critique* clearly suggests the unification of judgements on the model of such a unification within a *single* consciousness, it is not at all clear that this is the way that agreement and common-mindedness is thought of in of the aesthetic community, nor even that the idea of a *transcendental* unity of judgements of the beautiful makes sense. Here unity of opinion cannot be expected, only 'demanded', and unlike the case with the first and second *Critiques*, one cannot appeal to the existence of any general rule to justify the application of the similar justifications for their judgements, with all involved being willing to consider such concept of 'beautiful'. Such a judgement seems to have no grounds other than the willingness of the judges to stand in a fallibilist orientation towards and to offer justifications to others for their own judgements, others who are in turn willing to offer opposing reasons and to reconsider their own experience in their light.[28]

The picture of the regressive movement of reason found in Kant's first two *Critiques* is that of an essentially inductive process, with any 'particular' middle term of the minor premise in any syllogistic step playing the role of a means to reach the 'major premise' above it.[29] In contrast Hegel stresses that the 'middle term' (Mitte) as something that cannot be reduced to a mere 'means' (Mittel) which disappears into the achieved end.[30] Accordingly, he typically thinks of the syllogism more in terms of that form of inference that Peirce termed 'hypothesis' or 'abduction' rather than induction.[31] In abduction, rather than infer from conclusion and minor premise to the 'rule' or major premise, one infers *from* the conclusion and major premise *to* the minor premise, that is, to the mediating particular. Thus in Hegelian dialectic, the syllogism is brought into play essentially as a device in which, given opposed universal and singular terms, the task is to find their mediating particular, their 'middle'. And this particular middle is thereby the Kantian 'third', which allows the universal concept to be applied to the world in thought's fundamental act. As in Korsgaard's reading of Kant, the appropriate orientation to this middle for the otherwise isolated 'singular' subject is the 'second-person' orientation of address. The orientation of an 'I' to a 'you', an 'I' who is thereby willing to become a 'you' for the other's 'I'. For Hegel this is the most 'grounded' one can get as this structure is simply 'absolute substance ... the unity of the different independent self-consciousnesses which, in their opposition, enjoy perfect freedom and independence: 'I' that is 'We' and 'We' that is 'I' (Hegel, 1977, p.177).

Notes

1   See, for example, Russell's comments on Hegel in Bertrand Russell, *Our Knowledge of the External World* (La Salle, Il, Open Court, 1914): Thus Hegel's doctrine, that philosophical propositions must be of the form, 'the Absolute is such-and-such', depends upon the traditional belief in the universality of the subject-predicate form... This is the most important respect in which Hegel uncritically assumes the traditional logic, p.48.

2   'With Kant, the attempt to formulate a "theory of knowledge" advanced half of the way toward a conception of knowledge as fundamentally 'knowing that' rather than "knowing of" - halfway toward a conception of knowing which was *not* modeled on perception.' Richard Rorty, *Philosophy and the Mirror of Nature*, Princeton University Press, Princeton , New York, 1980, p.147.

3   Perhaps the most explicitly 'inferentialist' approach is that suggested by Robert Brandom as in 'Some Pragmatist Themes in Hegel's Idealism', *European Journal of Philosophy*, 7, (1999), pp.164-189, and in remarks in *Making It Explicit*, Harvard University Press, Cambridge, Mass, 1994, although this is yet to be applied in published work to Hegel in any detail. Brandom's general approach to Hegel, however, overlaps with the post-Kantian readings developed over the last decade by Terry Pinkard and Robert Pippin. See, especially, Pinkard's discussion in *Hegel's Phenomenology: The Sociality of Reason*, Cambridge University Press, Cambridge, 1994), chapter 1, section 2.

4   In the *Critique of Pure Reason* Kant is explicit that syllogisms are judgements, describing the syllogism as 'a judgment made by means of the subsumption of its condition [the minor premise] under a universal rule (the major premise)' (A 307/B 364) and 'a judgment which is determined a priori in the whole extent of the condition' (A 321-2/B 378). Considered as a judgement, the syllogism must be analytic. Consider, for example, the subsumption of 'Gaius is a man' under the 'rule' all men are mortal. The conclusion 'Gaius is mortal' holds simply by the fact that in any categorical judgement, *whatever* is subsumed under the subject term is thereby subsumed under the predicate term. In contrast, following Wilfrid Sellars, both Brandom, *Making It Explicit*, ch 2, section III, and Pinkard (*Hegel's Phenomenology*, 346, n12, invoke the irreducibility of so-called 'material inferences' to inferences which hold in virtue of formal logical principles alone. Material inferences are seen as warranted by socially born pragmatic rules authorising certain sorts of inferential moves between claims in the social practices involving the asking for and giving of justifications.

5   The relevance of Peirce here is that his work can be seen as incorporating the insights of later nineteenth-century developments in logic within a framework that remained, in contrast to the Russell-Frege tradition and in a broad but distinctive sense, 'Kantian'. One aspect of this was his attempts to maintain the dimension of 'pure intuition' within the representations that logic dealt with, a move manifested in his late interest in graphical or diagrammatic representations of inference, an approach to inference that clearly extended to the representation of inferential relations Kant's ideas concerning the construction of geometrical concepts in the pure intuition of space. See, for example, Sun-Joo Shin, 'Kant's Syntheticity Revisited by Peirce', *Synthese*, 113 1997, pp.1-41. Interest in Peirce from this perspective has been a consequence of a revived interest among logicians in distinctively diagrammatic dimensions of inference structure. See, for example, G. Allwein and J. Barwise (eds.) *Logical Reasoning with Diagrams*, Oxford University Press, New York, 1996, Eric M. Hammer, *Logic and Visual*

Information, CSLI, Stanford, 1995. Drawing analogies between Peirce and Hegel in their respective reactions to Kant's transcendental logic may aid in placing Hegel's thought within a more contemporary logical framework thus circumventing the problems that, as Pinkard notes, Hegel inherits through working with term-based syllogistic logic. Pinkard, *Hegel's Phenomenology*, pp.346-347, n 13.

6   Understood in this way, both Peirce's and Hegel's logic would be thought of as a variant on what Kant referred to as 'transcendental logic', a type of 'phenomeno-logic' rather than an 'onto-theo-logic' of traditional metaphysics, and from such a perspective Russell's criticism (see footnote 1) is entirely misplaced. That Kant's *transcendental* logic (in contrast to his formal logic), can indeed be seen as *compatible* with the later discoveries of first order predicate calculus has been claimed by Manley Thompson in 'Singular Terms and Intuitions in Kant's Epistemology', *Review of Metaphysics*, XXVI, (1972), but see also the postscript to the reprinted essay in Posy, Carl J. (ed.), *Kant's Philosophy of Mathematics: Modern Essays*, Kluwer, Dordrecht, 1992.

7   Kant, *Critique of Pure Reason*, A 132/ B171. Thinking otherwise invokes the spectre of an infinite regress of rules needed to specify how to apply the rule: 'If it sought to given instruction how we are to subsume under these rules, that is, distinguish whether something does or does not come under them, that could only be by means of another rule. This, in turn, for the very reason that it is a rule, again demands guidance from judgement'. Ultimately, judgment seems to rest upon a type of 'know how' which Kant describes as 'a particular talent which can be practiced only and cannot be taught'. Ibid., A 132-3/ B171-2.

8   'Knowledge from principles is ... that knowledge alone in which I apprehend the particular in the universal through concepts. Thus every syllogism is a mode of deducing knowledge from a principle'. Kant, *Critique of Pure Reason*, A 300/B357.

9   'Now since this rule is itself subject to the same requirement of reason, and the condition of the condition must be sought (by means of a prosyllogism) whenever practicable, obviously the principle peculiar to reason in general, in its logical employment is: - to find for the conditioned knowledge obtained through the understanding the unconditioned whereby its unity is brought to completion'. Ibid., A 307/B364).

10   Ibid., A 307/B364. Susan Neiman has recently focused on the relevance of Kant's logic of reason to the general project of human inquiry, noting that 'the demand to seek premises is nothing other than the capacity to ask the question why'. Susan Neiman, 'Understanding the Unconditioned', in Hoke Robinson, (ed.). *Proceedings of the Eighth International Kant Congress, Volume 1, part 2*, Marquette University Press, Milwaukee, 1995, p.510. See also her, *The Unity of Reason: Rereading Kant*, Oxford, Oxford University Press, 1994, ch 2.

11   Ibid., emphasis added. Kant then adds parenthetically that 'synthetic propositions no doubt belong to determining the means themselves to a purpose intended, but they do not have to do with the ground for actualizing the act of will but for actualizing the object'. I take it that Kant means here that we undoubtedly have experience of those worldly objects and circumstances employed as means. The difference between *prudential* and technical practical reasoning has to do with the indeterminacy of the end of happiness presupposed in the former, nevertheless the same logic applies in each case and 'the imperative that commands volition of the means for him who wills the end is in both cases analytic'. Ibid., p. 419.

12   Kant distinguishes between 'world' and 'nature' in these senses at A 418/B 446-7.

13   Ibid., p.412.

14   See, for example, Christine Korsgaard's separation of logical, teleological, and practical contradiction in 'Kant's Formula of Universal Law' in *Creating the Kingdom of Ends*, Cambridge University Press, Cambridge, 1996.

15   This result is confirmed by Kant himself when, in the *Critique of Practical Reason*, he denies a role to imagination, the faculty responsible for schematising, in the application of the moral law 'A schema is a universal procedure of the imagination in presenting a priori to the senses a pure concept of the understanding which is determined by the law; and a schema must correspond to natural laws as laws to which objects of sensuous intuition as such are subject. But to the law of freedom (which is a causality not sensuously conditioned), and consequently to the concept of the absolutely good, no intuition and hence no schema can be supplied for the purpose of applying it *in concreto*. Thus the moral law has not other cognitive faculty to mediate its application to objects of nature than the understanding (not the imagination).' Immanuel Kant, *Critique of Practical Reason*, translated by Lewis White Beck, Bobbs Merrill, Indianapolis, 1956, p.69 (page number as given to volume 5 of the Preussische Academie edition).

16   Kant *does* of course assert that the categorical imperative, as opposed to the hypothetical imperative, is an 'a priori synthetic practical proposition', basing this on the idea that since the categorical imperative has no condition then there is no way to 'derive the volition of an action analytically from another volition already presupposed', *Groundwork*, 420 and footnote. One way of understanding Hegel's criticism is that without some positive conception of how a judgement *could be* synthetic without being capable of being referred to the world of empirical phenomena, all that Kant can call upon for the categorical imperative is the principle of contradiction, a principle which is tied to analyticity.

17   Such an extension of Hegel's criticism of the moral subject's incapacity to 'act' coheres with a point that has been often noticed about the nature of practical reasoning in Kant. While Aristotle conceives of the practical syllogism as ending in action, Kant's conception of practical reasoning clearly is different, ending in something more like the content of some practical propositional attitude. a 'proposition preceded by some kind of advisability operator', as it has been expressed by one commentator, M.J. Scott Taggart, in But it is difficult to see the sense in which the relevant 'propositional attitude' is, indeed, a 'practical' one in the sense of leading to action. As Anselm Müller has pointed out, in Comments on W.H. Walsh's 'Kant's concept of Practical Reason' in S. Korner ed., *Practical Reason*, Blackwell, Oxford, 1974, p.218, for Kant the state of affairs designated in the content of such an attitude is a state of affairs that *ought to* obtain (in contrast to those that, as the content of beliefs, *do* obtain), and it is far from clear that this is the same as a conception of the content of an *act* that the reasoned should perform: 'wanting that *p* is nt generally the same as wanting to do something or other conducive to its being the case that *p*'.

18   As Kant puts it in his third formula for the categorical imperative in *Foundations of the Metaphysics of Morals*, 433.

19   On the continuity between Kant and Hegel on such issues see Robert Pippin, 'Hegel's Ethical Rationalism', in *Idealism as Modernism: Hegelian Variations*, Cambridge: Cambridge University Press, 1997, and Terry Pinkard, 'Virtues, Morality, and *Sittlichkeit*', section II, *European Journal of Philosophy* 7, 1999.

20   This, of course, is not to be reduced to the sense that the Stoics took it, that one could be free in slavery because one was still free in the 'inner' realm of thought. Nevertheless, for Hegel there is an important truth contained in a one-sided manner in the Stoics' claim. Pippin notes that despite its limitations, Stoicism is 'clearly indicative of the position toward which Hegel is headed'. Pippin, *Hegel's Idealism: The Satisfactions of Self-Consciousness*, Cambridge University Press, Cambridge, 1989, p.164.

21   I take this way of characterising the 'romantic' conscientious agent from Terry Pinkard's account in *Hegel's Phenomenology*, ch 5, section 4.

22   Ibid., 652-653. As the legal subject gained universal recognition in Roman law, so the conscientious 'self' can find universal recognition by expressing itself in language, the existence (*Dasein*) of spirit. 'Language is self-consciousness existing *for others*, self-consciousness which *as such* is immediately *present*, and as *this* self-consciousness is universal' (p.652). The moral consciousness, in contrast, is '*dumb*, shut up within itself'. Language 'only emerges as the middle term, mediating between independent and acknowledged self-consciousnesses; and the *existent self* is immediately universal acknowledgement. The content of the language of conscience is the *self that knows itself as essential being*' (653).

23   See especially Korsgaard's comments on *friendship* as a context for the adoption of properly moral attitudes to others in which one holds them responsible for their actions in the way that one holds oneself responsible for one's own actions in 'Creating the Kingdom of Ends', p.205.

24   This is illustrated, for example, in Hegel's criticism of the romantics, in the *Philosophy of Right,* for their rejection of marriage as an institutional context for romantic love. G.W.F. Hegel, *Elements of the Philosophy of Right*, edited by Allen W. Wood, translated by H.B. Nisbet, Cambridge University Press Cambridge, 1991, § 164 addition.

25   As Terry Pinkard puts it: 'Self-consciousness on the Hegelian model is not the awareness of a set of internal objects... [but] the assumption of a position in "social space"'. We locate ourselves in 'social space' when, for example, we reason in various ways; or when we assume various roles; or when we demand a certain type of treatment because of who we think we are; or when we see some forms of behaviour as appropriate to the type of person we think ourselves to be; or when we recognise others as having the right to make certain kinds of moves within their speech-community; or when we give a reason to another person to explain or justify what we are doing; or when we give an account of what we are doing to others that we think affirms what we take to be a good reason for doing what we are doing. ... Reason-giving, that is, is itself a social practice that goes on within a determinate form of 'social space' that 'licenses' some kinds of inferences and fails to 'license' others. *Hegel's Phenomenology*, pp.7-8.

26   Ibid., 227. What is initially confusing in Hegel's discussion of these intersubjective relations is that the number of 'consciousnesses' involved typically outstrips the number of conscious individuals: here, for example, there are apparently two individuals, the ministering priest and the unhappy consciousness, while there is talk of a third, 'unchangeable' universal consciousness, that of God. But this might be simplified by distinguishing between conscious *standpoints* and conscious *individuals*. What I take Hegel to be getting at with the idea of a 'universal consciousness' is that of a normative standpoint to which one as a conscious agent may aspire, and from which one's stance toward the world takes on some universaliseable, aperspectival, aspect (we might say, for example, a way

in which from a theoretical orientation things are thought of by means of 'eternal', aperspectival propositional contents). Thus what Hegel seems to be suggesting with the idea of the singular consciousness struggling to unite with a universal one is the problem of any cognising being struggling to overcome its own local point of view and act in accordance with something more universal, some principle or 'rule'. In this case, all these relations are understood in a religious way—the singular consciousness is trying to unite with its God, and he does this via relating to this God's representative on earth, the minister. But the more general idea is that it is only by relating to another conscious individual recognised as somehow bearing this universal standpoint within them, that is, as bearing within them the criteria and rules in terms of which their action can be normatively assessed, and by being related to by the other in a reciprocal way, that one can be the sort of being who can act on the basis of rules.

27   This is because these roles are *filled* precisely by those acts in which the agents assume or submit to the identities conferred by those roles.

28   Again, this looks like the kind of 'dialogical' conception of the moral relation between friends that Korsgaard posits as a way of understanding Kant's understanding of the *moral* standpoint, a conception, as mentioned, which seems more akin to that of the community of beautiful souls. Robert Pippin stresses the importance of Kant's third *Critique* for the development of Hegel's conception of intersubjectivity in 'Avoiding German Idealism: Kant, Hegel, and the Reflective Judgment Problem' in *Idealism as Modernism*.

29   And this 'means-end' relation is, of course, explicit in Kant's account of practical reason.

30   In the *Science of Logic* Hegel notes that the 'means is ... the *formal* middle term of a *formal* syllogism; it is *external* as against the *extreme* of the subjective need, and therefore also to the extreme of the objective end'. *Hegel's Science of Logic*, translated by A.V. Miller, (London: Allen and Unwin, 1969), p.743.

31   See, for example, Charles S. Peirce, 'Deduction, Induction, and Hypothesis' in Nathan Houser and Christian Kloesel (eds.), *The Essential Peirce, Selected Philosophical Writings, Volume 1, 1867–1893*, Indiana University Press, Bloomington, 1992.

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14 Phronesis and Legal Deliberation

ARTHUR GLASS

In law, decisions have to be made in circumstances where there are insufficient grounds for doing this. How can this be done responsibly? Can an account be given of a form of reason that helps decision-makers cope in unprecedented situations? Can it be said convincingly of a decision that it was appropriate, even if it might have been otherwise? It is in this context that there has been a revival of interest in Aristotle's concept of phronesis.[1] And if phronesis is understood as the ability to discern what is the proper thing to do in concrete situations, it is not hard to see why.

As far as I know decision-making in law is not a topic that excites George Markus. But he was (and remains) interested in the other focus of this paper, philosophical hermeneutics. And in a number of articles he developed a devastating criticism of Gadamer's approach to hermeneutics.[2] In addition he wrote a lovely piece on the distinction between praxis (doing) and poiesis (making) which I make use of below. I have benefited greatly from my exposure to Markus' discussion of Gadamer and have elsewhere applied its distinctive approach to the interpretative practices associated with legal texts.[3] But in this paper I focus on legal deliberation and decision-making rather than legal interpretation.

I consider what a particular discussion of phronesis, that of Hans-Georg Gadamer, has to offer to legal decision-making. Of course what Gadamer has to say about Aristotle is eventually absorbed by the concepts that explain the hermeneutical and event-like nature of all understanding - its forestructure, dialogical character, fusion of horizons, necessity of application, etc. In Gadamer's hands philosophical hermeneutics ultimately is the theory of application (that is, the theory of bringing the universal and the individual together).[4] But I don't want to lose the detail of what Gadamer says about phronesis within the more general claims for philosophical hermeneutics. So I ask specifically whether Gadamer's reworking of the poiesis/praxis distinction has something to offer to contemporary legal decision-makers. Does it help us understand how this

role should be carried out? Does it help us identify what threatens it? Unlike Gadamer's discussion of interpretation in general this aspect of his work has received little treatment in Anglo-American legal philosophy.[5]

It might be asked why I am treating practical reasoning by reference to Gadamer rather than by way of a consideration of, say, Aristotle, or Kant. Basically I am convinced by Markus that the distinctions at work here between different types of practical activity (poesis/techne as against praxis/phronesis) can not be drawn in the abstract but only in a specific context. So that there is no philosophical account of practical reasoning which speaks instructively to all practical activity. It must always be asked whether a particular account helps us understand a particular cultural context in some specified way. If Aristotle or Kant is of more help to contemporary legal decision-makers, that is for someone else to show. I choose Gadamer's account because there is at least one aspect of it that is instructive for contemporary decision-making; or so I shall argue.

The topic is the relationship between legal knowledge and technique on the one hand and the practical application of this knowledge and technique on the other. Here we do not have a type of knowledge or a practice that simply discloses the answer to all right thinking people. In the face of this gap between knowledge and practice, how can the legal official do justice to the particularity of the instant case? How should this official approach the inevitable tension between the universality of the valid legal rules and the concrete individuality of the case? And more generally, what can be said about the type of knowledge at work here and its link to reason?[6] Without examples, however, this is all rather bloodless.

Part One

There has been a recent debate in the law journals concerning two related issues. The first is the arguably paradoxical nature of the relationship between mercy (or compassion or fellow feeling) on the one hand and justice on the other. If mercy is treated as an independent virtue, one that 'droppeth as the gentle rain from heaven' to temper (or 'season') justice, then as a departure from justice it might be thought of as demanding injustice. Not an obvious virtue, at least from the perspective of the legal system. Yet if mercy is thought of as an aspect of justice (all decisions that are truly just, already take account of merciful considerations) then it is not an independent virtue.[7] To put it differently, how in legal decision-making should considerations of mercy be thought of? Are they compatible or incompatible with rendering decisions according to law? And here enters the second issue. For if the laws (the authoritative rules grounded in legal

texts) are understood in abstract terms then many of the particular compassionate features of a case will be suppressed. In this way the issue concerning the possibility of mercy in legal judgment has been connected with the problem of how to think of the particularity of those before the law.

An example that has been repeatedly used in this context recalls that moment in *War and Peace* when Pierre is brought before Davoût accused of being a Russian spy:

> Davoût looked up and gazed intently at him. For some seconds they looked at one another, and that look saved Pierre. Apart from considerations of war and law that look established human relations between the two men. At that moment an immense number of things passed dimly through both their minds, and they realised they were both children of humanity and were brothers.[8]

For Michael Detmold, at the moment of decision-making Davoût:

> entered the unanswering void of particularity, the realm of love, about which only mystical, poetic things can be said (children, of humanity, and such like); or nothing... Judges enter this realm every day (if they only knew). (Detmold, 1989, p.457)

Nigel Simmonds argues against this mystical approach. The 'particularity void' should not be thought of as a contrast between unique particularity (of which nothing rational can be said) and general law. For all descriptions of particularity depend more or less on general categories of thought; abstract descriptions which inevitably are partial and revisable but nonetheless guide our understanding of the particular. In this way Simmonds links mercy to the framework of juridical thinking. For it is now seen as one possible account of the facts, one possible description, available to the legal decision-maker (Simmonds, 1993, p.52).

Scott Veitch continues this approach. Taking up Detmold's suggestion that at the moment of decision-making Davoût entered the 'void of particularity' about which only mystical things or nothing can be said, he notes:

> (n)othing could be further from the truth. In this case the two only minimally know each other. The silence...in which the particularity void is thought to consist has its roots not in any particularity, or event or singularity, but on the contrary exists in the perceived possibility of one of the most abstract, if rarely felt commonalities... (their common humanity).... (Veitch, 1998, pp.228f)

What counts in the example is the realisation that both Pierre and Davoût share a common humanity, not their unique singularity. The 'particularity void' is better thought of, says Veitch, as a shift of context - we don't do that to fellow humans, for instance. But sometimes we do. Any context will raise its own criteria. For we can always ask of any particular example, is this an appropriate time to show mercy?

Emilios Christodoulidis has recently contributed to this discussion. (Christodoulidis, 1999, p.215). He argues (against Simmonds and Veitch) for the incompatibility of justice and mercy. Justice depends on legal norms which must pre-exist their application and the positivity of law would be undermined if these norms could be revised because, all things considered, they were thought unsuitable (lacking in compassion, say) in a particular case. The point of having legal rules is to remove this type of consideration from the law-applier.[9] Of course there will be criteria that allow us to judge the appropriateness of acts of mercy, but these are to be found in the realm of ethics, not law. As he puts it in response to Detmold's claim that lawyers enter the realm of particularity every day, 'if law enters this realm every day it finds nothing there that it can call by name'. Law provides a point of view in which necessarily the 'particularity of the affective encounter is suppressed'. Christodoulidis concludes, 'there can be no legal judgment over appropriateness of the application of law' (Christodoulidis, 1999, p.238).

But at this stage of the debate the discussion of particularity and law has been taken into a backwater. For judgement over the application of law is understood as raising the question:

- (A) Should the legal rule be displaced because in the circumstances it is inappropriate? Should the rule that Russian spies are shot be set aside in Pierre's case?

Clearly there are crucial 'institutional reasons' why decision-makers should not ask this question. Law would lose its ability to stabilise expectations and guide behaviour (to say nothing of its legitimacy) if its force was weighed and, if need be, set aside in case after case. If the relationship between law and particularity is thought of as an answer to this question then there is undoubtedly a 'particularity void'. For the particulars of the case (whatever they might be) cannot challenge the validity of the law, established in ways other than its reasonableness in the instant case. And while there might be something to be said about phronesis in connection with moral thinking, it would have no place in legal analysis.

But this is an unnecessarily restrictive approach to take to legal decision-making. It focuses solely upon the starting point of deliberation and asks: do the presumptive legal norms remain valid as legal norms? This is neither an interesting question (for the answer is yes) nor a realistic issue.

For our legal officials simply do not assume the power to ignore authoritative law.[10] However, once the focus is shifted to the process of deliberation, rather than its starting point, a number of other contexts are disclosed that (contrary to Christodoulidis) 'demand legal judgment over appropriateness of the application of law'. For granted the force or authority of the legal rule the question might be and often is:

- (B) How does this rule (whose authority cannot be directly questioned) apply to these facts?
- (B1) What does the rule mean in the circumstances of the case?
- (B2) How should the facts of the case be described? Which facts are salient? Which are not?

And as there is often more than one legal rule at work:

- (C) Where there is a conflict of valid legal norms, how should these norms be ordered?

Further, as legal decision-making occurs for us often in a context of a number of separate but interconnected institutions:

- (D) Which among the various legal institutions - Parliament, the administrative agencies, the courts - should decide the issue in this case? When is it appropriate for one institution (the courts) to defer to the judgement of another?

With these types of questions law cannot so easily stipulate what is to count as a legal concern and what is to be suppressed. And it is in contexts such as these that I ask: what does Gadamer say about phronesis that might be of interest?

Part Two

As Gadamer puts it in Truth and Method:

> (t)he heart of the hermeneutical problem is that one and the same tradition must time and again be understood in a different way. (Gadamer, 1994, p.312)

It is at this stage of his argument that he turns for elucidation to Aristotle's Nicomachean Ethics and its account of practical reasoning (phronesis). But as mentioned, I am not interested in how Gadamer uses Aristotle as an exemplar for important elements of philosophical hermeneutics; nor in whether his is a proper reading of Book Six of the text. It is his discussion of phronesis for its own sake that concerns me, and whether it says something of interest to contemporary legal decision-makers.

Following Aristotle, Gadamer explains the nature of phronesis by contrasting it with two other concepts - episteme, scientific (or theoretical) knowledge, and techne, the skill or knowledge of the craftsman. Both techne and phronesis as types of practical knowledge stand apart from episteme. The distinction between theoretical and practical knowledge turns on the changeability or otherwise of the knowledge. Aristotle saw theoretical knowledge as knowledge of what is always the same. It was exemplified by mathematical knowledge. It lent itself to being set out in advance. Here instruction is a matter of demonstration and there is no place for deliberation. As Aristotle frequently observed, no one deliberates about what always happens in the same way:

> Deliberation is concerned with things that happen in a certain way for the most part, but in which the event is obscure, and with things in which it is indeterminate. (Aristotle, 1112b9-10; see 1140a32-b2)

It is not the distinction between theoretical and practical knowledge that is of significance for Gadamer but the distinction Aristotle makes between the two types of practical knowledge.[11] For while techne and phronesis are both concerned with guiding action, and thus with the variable, they involve a quite different relationship between being and knowing (Gadamer, 1994, pp.317-324). Basically we cannot distinguish experience from knowledge in phronesis in the way we can in techne (ibid., p.322). We do not stand apart from moral knowledge as we do from technical knowledge. What attracts Gadamer to phronesis is that he sees it as an example of a type of knowledge or practical activity that is not detached from the being who is becoming; a being determined by and determinative of it (ibid., p.312). While there are a number of facets to this claim there are four points that are of importance for my purposes.[12]

First, the relationship between prior knowledge and the course of its application is different in technical as against moral activity. Artisans have a body of knowledge they can call upon before they act. And they often have a specific design for the work in hand. If they do not succeed in implementing this knowledge or this plan fully this is because of the

imperfection that comes from realising this type of knowledge in the world. Moral knowledge, however, is not properly thought of like this. True, there is prior knowledge. We will have images of right and wrong, schemata, that guide our behaviour before we act. And we modify these images if need be in the course of our deliberations. But when we do this it is not because we have no alternative in the face of the recalcitrance of the world. Rather, to do otherwise would not be right.[13]

Consistent with this Gadamer explains Aristotle on natural law and epieikeia (equity) (Gadamer, 1994, pp.318-319 and 519; 1981, p.127). While some laws are entirely a matter of agreement (traffic rules, for example), others are more than this, as they deal with a subject matter where the 'nature of the thing' constantly reasserts itself. But even here there is room for some free play. While natural law is less changeable than laws which are solely a matter of convention it should not be thought of as unchangeable. As for epieikeia, this is needed not because laws are imperfect in themselves but because the world is imperfect and 'hence allows of no simple application of the law'. Its role in a legal system is better thought of, says Gadamer, not as diminishing the law but as finding the better law.

Second, as a type of reasoning phronesis is inevitably tied to practical application and contingency. This is because of the subject matter. There are no rules governing the reasonable use of rules. No technique can spare us the task of deliberation and decision (Gadamer, 1981, pp.92 and 121). Phronesis can be usefully compared to perception. But it is not a matter of simply seeing what is demanded of us. Rather we learn to see the situation 'in the light of what is right' (Gadamer, 1994, p.322).

Third, there is a connection between phronesis as an activity and the person acting (the phronimos). We are told that phronesis is learnt and cultivated through practical activity and is only available to one who is already experienced. The phronimos should not be dogmatic but ready to learn from new experiences. Phronesis is different from cleverness, however. It is not enough to be 'the man who knows all the tricks and dodges and is experienced in everything there is'. One truly understands only if he or she has sympathetic understanding for others and seeks what is right.[14] The phronimos must have the right ethos, the right end in mind. In general terms he or she must seek and wish to preserve the appropriate demeanour and character (Gadamer, 1994, p.313; 1981, p.133; 1998, p.58). Phronesis is a type of activity ultimately based upon our responsibility to ourselves. (Gadamer, 1998, p.57; 1994, p.313).

Fourth, phronesis is the disposition to discern correctly the proper thing to do in concrete situations. 'And the person acting must view the concrete situation in light of what is asked of him in general' (Gadamer, 1994, p.313). We are thinking here of a type of reasoning which is anchored in the world and accordingly in a subject matter that is larger than the problem at hand. Because of this, the situation we find ourselves in always has the capacity to surprise us and expose the instability of our familiar ways of thinking. As we saw above in reference to natural law, 'the nature of the thing constantly reasserts itself' and in this way serves a critical function in our thinking. As Gadamer says of understanding in general:

> the main issue in all understanding concerns the meaningful relationship that exists between the statements of the text and our understanding of the reality under discussion. (Gadamer, 1981, p.98; see 1994, p.485)

Part Three

Let me return to the four claims made for phronesis as I have recast them and ask what legal deliberation has to learn from them? With the first two points I can be brief. Not because they mis-state the legal position, to the contrary, they add nothing to law's present self-understanding. That the meaning of the law is concretised in its application is hardly news to legal practice, especially in the common law world. For decision-making here relies extensively upon case reports as a source and interpretation of rules and examples. The character of these matters cannot be understood except in the context of the concrete facts, of both the precedent case and the case under consideration. And the same point applies to the claim that there is always a space in legal application between technique and the decision. The prevailing orthodoxy does not overstate the role of reason in legal decision-making.

Of more significance are the remarks about the decision-maker (the phronimos). It is sensible advice to decision-makers that they should reflect upon the nature of their responsibilities. Especially as with any occupation, there is always the risk that the knowledge learnt on the job (essential to carrying it out properly) may keep one's thinking within familiar pathways.

The phronimos we are told is open to the possibilities of the case; has an open mind to the possible arguments; is tolerant of different viewpoints; worries about the adequacy of the existing legal concepts. Such a set of attitudes makes the job harder, of course. There are more risks when the decision-maker acknowledges that it could be otherwise. But these risks should be faced. Gadamer's approach to openness in this context, however,

is associated with a larger claim.[15] The decision-maker we are told should be open to exposure by others. This is openness not just in the sense of tolerance of other views but in the sense of being alive to the possibility that you might need to resituate yourself in the world. This strikes me as a little overblown when applied to law. For it is the Tax Act or Dog Act which the decision-maker is frequently dealing with not the 'Torso of an archaic Apollo'.[16]

Another way of making this point is to consider the ends of decision-making. The phronimos we are told has 'the right end in mind'. And it's not just a matter of pursuing the end through any means. For ends and means are not sharply distinguished here (as both involve moral knowledge). But what ends should be in the mind of the legal decision-maker? Clearly the end of the case. What is the right result? And there is the end of being a good decision-maker. A role learnt and given meaning through acts of decision-making. How should the inherited weight of expectations associated with this role be understood and carried out? Ultimately, of course, there is an end outside of these official duties, that of right living. Now the work has to be fitted into this. And the better the life, presumably, the better the decision-making. But it is a little unworldly to see the work of decision-making as challenging one's basic goals on a daily basis.

Of most significance is point four, Gadamer's discussion of the 'subject matter' of the decision. And it is with this in mind that I claim that Gadamer's account of phronesis has something of note to say to legal officials. For the basic goal is different when legal understanding is thought of as existing not behind the law (in the author's intentions, say) or in the law (in the meaning of the words) but in front of it - where the law is put into play.[17] And disclosing this aspect of decision-making shifts its field of vision in a way that can have practical consequences. For decision-makers it is now a matter of learning to see what the situation expects of them.

A short paper in a non-legal publication is not the place to demonstrate this. But what I have in mind can be suggested by the following. At question D in Part One I offered the example of decision-making in the context of one institution considering whether to defer to a decision of another, even though it finds it suspect for some reason. A common example of this is judicial review of administrative decisions. And, to be more specific within this category, a common problem concerns the extent or scope of judicial review when it is claimed that the processes through which the administrative decision was reached were in some way deficient.

At issue might be such questions as: Was the applicant given sufficient time to respond to adverse material? Should the agency have conducted its own inquiries? Was the evidence properly evaluated? Was the reasoning adequately disclosed? And so on.

The orthodox way of approaching these issues is as follows. The basic principle of judicial review is that its scope must be limited. It is not a re-hearing of the original decision. It is concerned with the lawfulness of the decision not its merits. Defective procedures do not necessarily amount to unlawful procedures. An unreasonable decision, even an illogical decision, is not *per se* an unlawful decision. But at some stage deficiencies in the procedures or in the reasoning renders the decision contrary to law and thus reviewable. But at what stage?

I make three observations as to how attention to the subject matter of the case could assist in answering this question. First, it should be acknowledged that the issue as to when the court should intervene is not solvable in terms of the immediately available legal concepts.[18] Deficient procedures can only be said to amount to an error of law after the decision as to just what the legal obligation amounts to in the particular case. Sometimes the lawmaker (i.e. legislation) will spell out this obligation (i.e. the type of procedures required or the type of justification required). But whatever specification is offered it can never deal adequately with the complex ideas underpinning what procedural justice means to us.[19] It is only by reflecting upon the notion of procedural justice, 'the nature of the thing itself' and its value for us, that the reviewing court can see one aspect of what is at stake here.

Second, another matter of significance is the question of who should speak on the question of procedures - the administrative agency or the court? Who should take ultimate responsibility for these decisions? Which institution knows more about these matters? Which institution is likely to make the right decision? In other words, these cases raise a number of institutional concerns and how these are answered should influence the level of scrutiny with which the court looks at the work of the agency. As these matters are relevant to the decision it would be better if they were confronted and spoken of more openly by the review court itself.[20]

Third, and most importantly, reflection on the subject matter of the case brings to the fore what motivates legal decision-making (or what should motivate it) - a concern for those before the law. Thinking about their fate frequently brings out the inadequacies of the law. As is often noted, interpretation is only called for when the meaning of the law is not immediately clear. Lack of clarity may be due to incoherencies in the rules themselves. But it is more likely the attempt to apply the rules to the circumstances of the case that makes their meaning uncertain. It is the

unjust consequences of the law upon individual lives that demands a more satisfactory reading of the law. There is a crucial difference between asking the depersonalised question: what does the law say about this problem? As against: how can I respond to the difficulties of these people in legal terms, bearing in mind the practical exigencies of the job? But being concerned about these matters is one thing, what can be done about it another. At least the decision-maker should have in mind the aim of exploring the legal possibilities to the full.

In sum, briefly stated above are three matters relevant to most legal decisions. The idea that the legal concepts at work in any particular case are always more than their current institutionalisation; and that reflection upon this larger subject matter will bring to light ideas and values, and a history of thinking about these matters, which will help us understand the task at hand. Second, the point that the role of decision-maker is given meaning through the institutionalised interrelationship of law-makers (Parliament), law-appliers (administrators) and law-finders (courts). When issues of separation of powers arise it is better if these are made explicit. Third, cases deal not just with legal rules and established facts but also with people; people who rightly demand to be understood. A 'sympathetic understanding' of their interests may take the decision-maker beyond the existing legal concepts.

There are, of course, other considerations - most obviously the need for predictability, the need to stabilise expectations. As is often remarked legal decision-making must hold together two matters often in tension - the need for consistent decision-making and the need for justice in the instant case. It must satisfy simultaneously the conditions of facticity and validity, as it might be put (Habermas, 1996, p.198). Neither condition can be ignored, either in accounts of the practice or in the practice itself. But like so much of law (and life) it's a matter of emphasis. No doubt, ultimately where you put the emphasis is a matter of what worries you more - decision-makers 'appropriat(ing) a problematic independence from those bodies and procedures that provide the only guarantee for democratic legitimacy' (Habermas, 1999, p.447) or bureaucrats without spirit. With regard to circumstances in contemporary Australia, I place myself in the second group. For the 'steadying factors', which work to keep legal officials within the conventional, appear these days to be so strong.[21] The result is that judges and bureaucrats do not always explore the potential of their office to the full.

Part Four

What can be said in general terms about the type of knowledge at work in phronesis (according to Gadamer) and its instructive value for legal decision-making? We should not expect much, for the basic point is that there is no technique that can spare us the task of deliberation and decision. Worse, it is morally dubious to look for direct guidance (even if it was available), as it is characteristic of practical reasoning that the person acting must decide and cannot let anything or anybody take away this responsibility (Gadamer, 1994, p.313). There can only be guidance in the general sense of gaining clarity about the basic task. In these circumstances it is easier to say what phronesis is not, how it can be misunderstood, rather than how it should be understood. Basically it is a matter of doing what there is most reason to do, all (relevant) things considered. Just what these relevant considerations might be (and how they are weighed) depends on matters local to the agent and the situation.

Yet the search for relevant concerns, unavoidably, sends the inquirer further afield. For the idea of 'a relevant concern' presupposes a larger framework in which some factors are considered salient and others are not. In our case this framework has a legal orientation. But what this means cannot be explained solely in legal terms, except in the uninteresting way that whatever ends up being accepted as legally relevant is part of the legal context (see Luhrmann, 1992, p.1419). Focusing on the subject matter of the case is an intriguing way of disclosing matters significant for legal decision-making. And while it may be an unfamiliar way for law it does not take the decision-maker outside of the basic expectations presently associated with the office of decision-maker. As an approach it seeks not to undermine the institutionalised legal texts or legal ideas but, rather, to understand them properly. And in doing this it remains guided (but not controlled) by the regulative understandings, procedures and 'paradigmatic legal understanding' prevailing at the time.[22]

What distinguishes legal decision-making from other forms of decision-making is a perennial concern of legal theory. At the least it is the claim that legal decision-makers start from a formally established and identifiable body of authoritative texts. This is what makes them legal decision-makers rather than some other kind (religious or moral, for example). And whatever difficulties there are in practice in drawing a boundary around the legal rules, legal values and value hierarchies, the legal considerations are thought of as less than all the possible relevant moral and practical concerns. The question, of course, is how best to think of this permeable boundary between the legal and other considerations?[23]

Legal decision-makers see what the situation expects of them by way of the available legal concepts. But they are already placed in a larger social and moral context and cannot (and should not) block out ideas from these sources. What they could learn from Gadamer is a practical orientation that asks of them: how should the legal concepts be understood so that they may respond adequately to the situations they find themselves in? As George Markus might say, a not uninteresting way of approaching the job.

Notes

I thank my colleagues Martin Krygier and Robert Shelly for their comments on an earlier draft.

1   Among other discussions see MacCormick, 1983, p.1; Eskridge and Frickey, 1990, p.321; Zant, 1991, p.775; Kronman, 1993.

2   Markus, 1984 and 1987.

3   Glass, 1991 and 1995.

4   Gadamer, 1998, p.61.

5   I know only of some suggestive remarks in Bruns, 1992, ch. 12, and 1999, chs. 3 and 6. And on ethics see Dunne, 1993; and Smith, 1988.

6   See Gadamer, 1981, p.116.

7   See Murphy, 1988.

8   Tolstoy, 1957, Bk IV, Pt. 1, ch. 10, p.1140. See Detmold, 1989, pp.436, 457; and Diamond, 1988, pp.255, 264.

9   Here Christodoulidis draws upon Raz's account of exclusionary reasons and Luhmann's systems theory.

10   If what was thought to be binding turns out not to be (because it was beyond power, say) this has to be established in the case.

11   What we need to learn from the classics is that 'there is an absolute distinction between *politike phronesis* and *politike techne*' (Gadamer, 1994, p.541).

12   Here I do not follow the order of the discussion in Gadamer, 1994, pp.312-324, but recast it.

13   'What is right, for example, cannot be fully determined independently of the situation that requires a right action from me, whereas the *eidos* of what a craftsman wants to make is fully determined by the use for which it is intended' (Gadamer, 1994, p.317).

14   We are told that only friends or persons with an attitude of friendliness can give advice (Gadamer, 1994, p.323; 1981, p.133).

15   See Bruns, 1999, pp.99, 195; and 1992, pp.179, 210.

16   I refer, of course, to the concluding lines of Rilke's poem of this name.

17   To adapt a remark of Paul Ricoeur in Ricoeur, 1981, p.143; and see Bruns, 1992, pp.105-106 and 239.

18   The distinctions of fact/law, jurisdictional and non-jurisdictional error, for instance.

19   Whatever rules about due process Parliament has enacted and whatever justificatory reasons for these rules have been put forward (either in fact or in some form of historical or rational reconstruction) will always be less than the idea of due process. An idea which extends to questions of efficiency - which procedures are more reliable than others? But more importantly to questions of collective self-understanding - how should we (our institutions) treat people?

20   As for example in *MIEA v Wu Shan Liang* (1996) 185 CLR 259.

21   Institutional sanctions, processes of socialisation, decision-making procedures, for instance. See Llewellyn, 1996, pp.19-61.

22   See Habermas, 1996, p.220. And it is on points such as these that an account based on Gadamer's reading of *phronesis* is different from, say, Derrida's more free-floating remarks on law and justice in Derrida, 1990, p.919.

23   For a succinct summary of various attempts to answer this question see Habermas, 1994, ch. 5. The issue as to whether law's reliance on institutional reasons makes it significantly different from general practical discourse has exercised Robert Alexy and his critics over a number of years. For the latest instalment on the 'special case thesis' and the 'subset assumption' - see Alexy, 1999, p.374.

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15 Intellectual Dandyism: The Perils of Form

AMIR AHMADI

What becomes of 'intellectuals' under contemporary conditions? This is the question that György Markus poses in the conclusion to his essay *Antinomies of Culture* (1997b, pp.19-20). We may define intellectuals, using Bloch's terminology, as the carriers of the 'utopian function' of culture, the effective operators of the 'something's missing'.[1] Intellectuals mobilise, or mobilised, cultural resources for the purposes of social criticism. Voltaire's 'Crush the infamy!' was perhaps the first intellectual posture since it confronted the existing regulation of social life with an *idea* of social order based on, so was the claim, the knowledge of the human and its cultivation in society at large. Throughout the century of reason this humanist universalism which would become the kernel of 'culture' became more and more militant.

Against this background, we could say that intellectuals understood their task as that of carrying out the vocation of culture by intensifying it. For through calling itself a 'society of culture' modern society already described itself by means of protest against itself; through it alone modern society could open itself onto 'history'. Society becomes historical, as Markus has shown, by means of (becoming a) culture (Markus, 1993, p.3). But this self-problematisation which culture is supposed to be also delivers society to the political. The historical inscription of society came downstream from the Enlightenment philosophy's social-historical activism that was finally given the name of progress. The infamy that was to be crushed was, as Canguilhem says, the pre- of prejudice rather than the 'illusory certainty' of its judgement: a prejudice was the judgement of a previous age (Delaporte, 1994, p.364). The political valency of culture was thus not a mere 'concern' that accompanied the sphere of cultural activities, which could be understood, as the case might be, either as an external imposition of a society bent on accounting for its resources or as an expression of a moral scruple of the producers of cultural goods. Above and beyond what could be described as a politics of culture, this political

valency was, according to its own self-understanding, constitutive for the very meaning of the concept of culture (see Koselleck, 1988).

In its original formation at the end of the eighteenth century the concept of culture comprised two analytically distinct components: a sociological-anthropological component which basically referred to the 'symbolic dimension' (Geertz) of any social formation; and a reflective component which designated a specific social sphere whose activities were thought to be inherently valuable since they produce the values that make social life 'truly human'. In Markus' words, 'The conflation of these two, apparently unrelated meanings through a single term is, however, not accidental. It is rooted primarily in the concept of culture which originated in the Enlightenment... Just as the broad concept of culture was to replace the idea of fixed and binding traditions, 'culture' in its narrow sense aspired to replace the spiritual, but irrational power of religion as the ultimate orientation of the ends of life' (Markus, 1997b, pp.6-7). The use to which the concept was put - what defined its semantic field - required the union of the two components, a union which could only be sustained by their inscription in the discourse of philosophy of progress. The transposition of social institutions (in the broadest sense) in terms of culture signalled that they have no other basis than past human activities and hence have no binding claim on the present and future making activities. This 'discovery' actually puts inherited institutions in the position of a defendant since they have to prove their case in the court of human reason which alone can pronounce on human values. The autonomous sphere of reflective culture designated the social locus of reason, where it could critically judge and sovereignly determine the values and ends that are to guide the making of the social-historical life of human beings. In its double inscription, culture was a compulsion to historical and political activism.

But from the beginning this construction is fraught with a fundamental tension. For the activities of the reflective culture do not fulfil this role by performing socially useful and externally imposed tasks. Rather, they do it precisely by being non-functional. They can guide and organise social-historical life toward a genuinely human society because, formally, they themselves are instances of this final end of history.[2] Only a *formally* liberated humanity can put forth the conditions of the liberated humanity.[3] Reflective-cultural activities (in the sense of both production and reception) prefigure here and now the 'humanity' (in the emphatic sense) of the human species. And conversely, they are the school in which human beings cultivate their capacity to be truly human, their capacity for humanity, thus preparing themselves for the realisation of the final goal of universal human liberation. The tension in the appreciation of reflective-cultural activities on the one hand as absolute ends in themselves and on the other as preparatory schooling is released only by their uncoupling -

the circumstances of which remain to be determined. It is this uncoupling which decides the fate of reflective culture and its representatives in society, the intellectuals. The project of social and political intervention through form, that is, through the aesthetic, ends in intellectual dandyism. To paraphrase Valéry, the abuse of form lies at the bottom of the love of form. This is what I would like to show. The political gestures of an aestheticised theory - when they are not overtly made for the benefit of spectators - turn out to be hardly anything more than parodies.[4] 'The heroes of cultural confrontation [get] converted to the cult of the self' (Lipovetsky, 1994, p.205).

The idea that cultural activities impact on social and political reality comes explicitly on the historical stage in the middle of the eighteenth century. At this time, Rousseau and Turgot place this idea, which in a sense goes as far back as Plato, in an historical perspective, formulate it for the first time in historical terms - of course with opposite signs. For Turgot the arts and sciences are a vehicle of progress of the human species toward perfection, a vehicle of the indefinite development to perfection of human faculties with which nature has endowed the species. For Rousseau, on the other hand, they lead to decadence, to the corruption of republican virtues. But in neither, and as far as I know in no other *philosophe*, is culture explicitly nominated as a weapon for achieving political ends. As a matter of fact, if we accept Koselleck's account in *Critique and Crisis*, its political efficacy in dislodging the absolutist state was precisely due to its non-political nature, which shielded its activities to a sufficient extent from political intervention on the part of the state. According to Koselleck's analysis, the moralising philosophy and literature in the hands of the politically impotent bourgeoisie were a concealed politics, a politics of anti-politics, but a politics nonetheless, which cloaked the bourgeoisie's political aspirations under the mask of philosophy of progress.

It is in Germany toward the end of the century that culture is explicitly pressed into political service, where also for the first time an explicit theory of the autonomy of cultural activities and the inherent valuableness of their products is formulated. A curious fact. In France, with the waning of the authority of traditional systems of beliefs under the impact of the Enlightenment, the *doctrine classique* - reigning according to Bürger right to the end of the century - demands from literature the two functions of critically discussing social norms and promoting their internalisation by the individual. It thus places literature abreast of society and current social life. Engagement with contemporary social issues also marked the literary output of the *philosophes* who as a group programmatically renounced metaphysical speculations and turned their attention, in Voltaire's phrase, to cultivating their own garden. The German aesthetics of autonomy, on the other hand, 'claims for the work of art a free space within society'

(Bürger, 1992, pp.9-11). The aesthetics of genius in the same vein puts the artist as producer against society. Bürger explains the rise in Germany of the aesthetic theories of autonomy and genius as a self-critique of the Enlightenment, in which the process of rationalisation is revealed in its contradictory character: technical and scientific progress is accompanied by fragmentation of personality, alienation from social life, regression in human relations, etc. The central idea of the work of art as an organic totality seems to be a direct response to this prompting of the process of modernisation. The organic art work is to restore the feeling of wholeness to the individual and provide the opportunity for the latter to experience a meaningful world. Thus, according to Bürger, 'the institution of art/literature in a fully developed bourgeois society may be considered as a functional equivalent of the institution of religion' (Bürger, 1992, pp.15-18). Others have used the idea of 're-enchantment of the world' to describe the function that the aesthetics of autonomy assigned to aesthetic experience and art. Natural beauty, in Kant, is morally eloquent; that is, it signifies that morality is not out of place in this world. Just because we do not force natural beauty in the service of our (moral) interest, its moral testimony freely offered is all the more significant. Or rather, this testimony is at all significant because it is a favour. Our demand, addressed as a duty, that others also find beautiful what we consider to be so points to the moral core of the beautiful: 'only because we refer [*Rücksicht*] the beautiful to the morally good (we all do so [*Beziehung*] naturally and require all others also to do so, as a duty) does our liking for it include a claim to everyone else's assent' (Kant, 1987, p.228).

This approach, however, falls short of explaining the paradoxical fact that we mentioned above, namely the casting of autonomous culture *in toto* in a political role. Culture is held up as the locus in which *the* political problem of creating a truly human order may be solved because, first of all, it is here that the riddle 'what is the human?' can finally be addressed. This is explicitly formulated as a thesis by Schiller. Elias explains the political elevation of culture sociologically: the German bourgeois intelligensia turned its institutional isolation into a political virtue (Elias, 1996, pp.123-127). The close association until the second quarter of the nineteenth century of *Kultur* with *Bildung* was of course helpful in this respect. In the second half of the eighteenth century *Bildung* 'acquired the sense of the pedagogic process of self-cultivation understood as the inner-directed development of inborn dispositions and capacities, the forming of a natural particularity into a mature personality' (Markus, 1993, p.15). Culture was the development and, increasingly after the French Revolution in the early Romantics, promotion of humanity. The post-Revolutionary political promotion of culture in Germany was in part motivated by the rivalry with the French 'civilisation' which soon after the Revolution

became synonymous with French expansionism. Whereas civilisation rests on the refinement of external behaviour and institutions which is quite compatible with moral corruption, according to a contemporary account, culture 'consists of the inner spiritual transformation of human beings, in elevation to true humanness, in the unfolding of the moral and spiritual potential of human beings' (Markus, 1993, p.16). Culture against civilisation: nationalist ideology battles nationalist ideology, all the way to the First World War. 'The First World War was fought under the slogans of defence of Western civilisation, on the one side, and defence of (German) culture against the deadening, materialist civilisation of the West, on the other side' (Markus, 1993, p.17). Sociological insight and historical hindsight expose the humanist pretensions of culture as a deception, which ideological critique reveals for what it is, a mask which the wearers throw to one side as a cumbersome burden when dealing with 'serious matters' that demand unfettered mobilisation. But 'intellectual culture' seems to have lived on, be it as a kind of sombre or happy reflection on the total closure or liberal openness of mass consumer society. How to account for its persistence in conditions where its claims, on which it stakes its existence, are met on all sides by scepticism if not outright cynicism? (Markus, 1995, p.76). In what form does it continue? In order to answer these questions we have to go back to Schiller who first formulated as a thesis the political indispensability of culture.[5]

The historical transposition of 'human society' in *On the Aesthetic Education of Man* seems to follow the Enlightenment impulse of putting humanity's fate in the hands of human beings. The question that initially occupies Schiller is how to move from a natural state of society based on force to a free society. The passage to moral society is only possible, according to Schiller, through culture or aesthetic education: 'if man is ever to solve that problem of politics in practice he will have to approach it through the problem of the aesthetic, because it is only through Beauty that man makes his way to Freedom' (Schiller, 1967, p.9). But this does not mean that the aesthetic has a determinative role in defining the concept of freedom. Rather this concept is independently defined by reason in moral terms, which also yields the principles of 'political legislation'. The specific problem that culture is meant to solve is how to create the 'Moral State' without destroying the 'physical society' on whose preservation 'man's existence' depends. 'For this reason a support must be looked for which will ensure the continuance of society, and make it independent of the Natural State which is to be abolished' (Schiller, 1967, p.13). Culture or aesthetic education is to bring about 'a third character' which as kin to both natural and moral characters 'might prepare the way for a transition from the rule of mere force to the rule of law, and which, without in any way impeding the development of moral character, might on the contrary

serve as a pledge in the sensible world of a morality as yet unseen' (Schiller, 1967, p.15). In this context Schiller unambiguously defines the Moral State as the 'highest end which Reason' decrees and to which 'everything must accommodate', since it is 'moral freedom' that defines the humanity of man. Culture has its *raison d'être* in its being an education toward this freedom; as regards the conditions of this end, the aesthetic offers no insight.

> The transition from a passive state of feeling to an active state of thinking and willing cannot, then, take place except via a middle state of aesthetic freedom. And although this state can of itself decide nothing as regards either our insights or our convictions, thus leaving both our intellectual and our moral worth as yet entirely problematic, it is nevertheless the necessary pre-condition of our attaining to any insight or conviction at all. In a word, there is no other way of making sensuous man rational except by first making him aesthetic. (Schiller, 1967, p.161)

The insistence on the necessity of the aesthetic is matched by an equally strong insistence on qualifying this necessity as that of a transition, a pre-condition, a middle term.

But enmeshed with this historical idea of aesthetic education is a romantic conception of aesthetic experience. In the former, the aesthetic 'as an instrument of culture' is meant, by connecting sensuousness and morality, to act as a historical passage from the first to the second and to show, as a 'pledge' here and now, that this passage is possible (Schiller, 1967, p.105). In the latter, this bringing together of sense and spirit that the aesthetic aims at becomes an absolute end in itself, 'the Absolute', the 'perfect consummation of [man's] existence. It is, in the most precise sense of the word, the *Idea of his Humanhood* [Menschheit], hence something Infinite, to which in the course of time he can approximate ever more closely, but without ever being able to reach it.' The aesthetic spins off its own temporality. Within this temporal horizon the destiny of man is the reconciliation of his two sides or drives which he can experience, as much as is possible, in the aesthetic state: 'he would in such cases, and in such cases only, have a complete intuition of his humanhood [Menschheit], and the object which afforded him this vision would become for him a symbol of his *accomplished destiny* and, in consequence (since that is only to be attained in the totality of time), serve him as a manifestation of the Infinite'.[6] No sooner is the aesthetic temporality projected than it spreads over the political history of a free society the ideal semblance of the 'happy medium between the realm of law and the sphere of physical exigency' in which the self can experience itself playing (the absolute) (de Man, 1996, pp.151-153). Man is 'only fully a human being when he plays'

since it is only in this case that the two opposing sides of his nature form a harmonious union, completely disappearing into a 'new whole'.[7]

Culture subjects man's sensuous life to form; and in this it prepares in him his active power of determination, his ability to give form to his own actions, but does not provide any criteria to distinguish between various forms. The aesthetic state is only a purely formal lawfulness, an ever readiness to proceed to action under a law whatsoever. On the other hand, thanks to the 'total inclusion' of sensuous reality, this lawfulness is not experienced as an ascetic deprivation but as a 'total capacity' (Schiller, 1967, pp.147-169). There are some who cannot bear the indetermination of the aesthetic state and anxiously press on to action.

> In others, by contrast, who find enjoyment more in the feeling of *total capacity* than in any single action, the aesthetic state tends to spread itself over a much wider area. Much as the former dread emptiness, just as little the latter are capable of tolerating limitation. I need scarcely say that the former are born for detail and subordinate occupations, the latter, provided they combine this capacity with a sense of reality, are destined for wholeness and for great roles. (Schiller, 1967, p.147)

Just as it is only in the aesthetic mode of perception that man experiences himself fully restored to his humanity, so too it is only in the enjoyment of beauty that he finds himself 'at once as individual and as genus, ie., as representatives of the human genus... Beauty alone makes the whole world happy, and each and every being forgets its limitations while under its spell' (Schiller, 1967, pp.215-217). The ideal of equality which in social reality must forever remain a dangerous and fanatic enthusiasm is fulfilled in the aesthetic state under the spell of the 'aesthetic semblance'. The attainment of humanity becomes an ecstatic participation, body and soul, in the aesthetic semblance and, through this, in the semblance of humanity. The 'man of the world' partakes of humanity by virtue of reason and its universal precepts of moral freedom which set down as his duty to act, to help to realise a society which is compatible with the demands of morality.[8] This is where Schiller begins, what allows him to define what culture is, and what he cannot abandon without also renouncing, so it seems, the privileged status given to culture and perhaps its very *raison d'être*. But it turns out that it is the aesthetic which is the point of arrival of culture. Aesthetic schooling in the 'causality of form', which is the philosophical-historical significance of the play, is arrested in the superficial attachment to form that the aesthetic semblance is. The play of the aesthetic, once begun, cannot be politically mastered.

Was the challenge of 'the constitution of true political freedom' merely a pretext for the aesthetic semblance? Was the philosophy of history

deployed by the 'aesthetic education' a mere stage for the aesthetic spectacle? Yes and no. On the one hand, Schiller only grudgingly concedes the irresistible ascendancy of politics that the Revolution had brought in its wake. On the other, the identity of the terms (ie., the equality and fulfilment of humanity), in which the political and aesthetic ideals are cast, forces us to affirm that the former is not just an incidental pretext. It is as if after the Revolution there is a reversal of the hypocrisy that according to Koselleck characterised the bourgeois politics of culture in the eighteenth century. Should we in respect of the position of culture in Schiller talk instead of a politics of the aesthetic? The 'construction of true political freedom' is called by Schiller 'that most perfect of all the works [*aller Kunstwerke*] to be achieved by the art of man' (Schiller, 1967, p.7). Others have found in the thesis of politics as art, in the notion of political art, the origins of totalitarian politics (see Lacoue-Labarthe, 1989). Perhaps we must pay equal attention to the fact that the aestheticisation of politics also makes possible another trajectory: dissolution of political action either in aesthetic contemplation or cultural dandyism. With respect to the former, I only make the following very brief remarks. In the *Earliest System-Program of the German Idealism*, the authors ask for a 'new mythology' by means of which philosophical reason will 'create an eternal unity' in which 'universal freedom and equality of spirit will reign'.[9] But this political project soon gives way to a phenomenology of the historical self-recognition of Absolute Spirit that finds consummate satisfaction in the contemplation of the spectacle of its own alienation and return.[10] 'There is less chill in the peace with the world which knowledge supplies,' says Hegel in the Preface to the *Philosophy of Right*. 'Supplying this more clement peace is the highest, that is, the philosophical accomplishment of culture in a modern political society' (Brunkhorst, 1992, p.155). The 'total capacity' that the attachment to form *tout court* induces is measured by the capacity to find material satisfaction in form. Is not the satisfaction afforded in the contemplation of the actuality of concept, of the existence of form, the aesthetic pleasure par excellence?

There is but one step from the aesthetic's political parasitism to cultural dandyism. This step is the absolute valorisation of the new as such, which brings to a head the compulsion of culture to historical activism. In fact, this valorisation is a point of arrival and a sign of a complex constellation of processes. We must briefly mention here the most immediately important ones. First of all, it signifies the evacuation of progress from its humanist Enlightenment meaning, and its equation with an autonomised process of technical/economic expansion. In the middle of the nineteenth century there already takes place a *post-histoire avant la lettre*.[11] For Benjamin, Baudelaire's work bears testimony to this obstruction of a future that could sustain an expectation of meaning. What Baudelaire sees

in progress is nothing more but nothing less than 'a perpetually renewed form of suicide... that eternal desideratum which is its own eternal despair' (Baudelaire, 1965a, p.127). For *spleen* ('that feeling which corresponds to catastrophe in permanence') the 'buried corpse is the "transcendental Subject" of historical consciousness' (Benjamin, 1985, pp.34-35). Thus the modernist new also stands as the sign of the contraction of history into a permanent present. In a sense, this contraction simultaneously extracts the essence of the modern and removes it from history. By opposing itself to the 'traditional', the modern age had 'located its essence in its ability to be always up-to-date, to be abreast of the times, of time conceived not as the inertial power of erosion, but as a creative force of change, which can be missed or harnessed for human ends' (Markus, 1993, p.3). But when these ends are removed from the context of an historical project the forward groupings for an unknown future can only be redeemed by investing them in themselves with an absolute value, that is, as formally appreciated gestures. The thrill of an 'experiment' and the shock of the sudden ennoble an otherwise drab (ie., indifferent) temporal becoming.

What Habermas says about the modernist *avant-garde* of the early twentieth century in fact also applies, as we will presently see, to the aesthetic politics of the mid nineteenth century: the 'anticipation of an undefined future and the cult of the new mean in fact the exaltation of the present' (Habermas, 1983, p.5). In each case the exhaustion of philosophy of history (in one, the Enlightenment philosophy of progress, in the other, the Marxist historical materialism) releases the present for occupation by fashion, by 'the fashion', which has to tirelessly set itself apart from the past and to which historical time is only a stage-like background. '*Spleen* sets centuries between the present moment and that which has just been lived... In Baudelaire the "Modern" is not based solely or chiefly on sensibility. In it an elevated spontaneity finds expression; the modern is for Baudelaire a conquest; it has an armature' (Benjamin, 1985, p.35). Modern life, too, has its 'heroism', Baudelaire concludes in 'The Salon of 1845'. It consists in snatching from the 'life of today' its 'epic quality', revealing in 'our cravats and our patent-leather boots' the 'poetic' and thus granting us the 'extraordinary delight of celebrating the advent of the *new*' (Baudelaire, 1965b, p.32). The staging of this historical drama of the advent of the new takes place in the permanent present of fashion.

In Baudelaire 'the man of the world' has become a 'passionate spectator', a 'man who understands the world and the mysterious and lawful reasons for all its uses' (Baudelaire, 1964, p.7). His insatiable passion is seeing and feeling. 'He marvels at the eternal beauty and the amazing harmony of life in the capital cities... he delights in universal life' (ibid., p.11). In Schiller, the man of the world was still a man of reason, and since reason compelled him to take sides in the interest of humanity,

he had to be a man of action. In Baudelaire the 'spiritual citizen of the universe' observes, seeks to understand, and finds satisfaction in absorbing what the worldly spectacle offers him and in wresting its forms from the passing moment. 'We might liken him to a mirror as vast as the crowd itself; or to a kaleidoscope gifted with consciousness, responding to each one of its movements and reproducing the multiplicity of life and the flickering grace of all the elements of life' (ibid., p.9). What drives Schiller's man of the world is moral feeling. Baudelaire's is driven by the horror of boredom and the rage for distinction.

Baudelaire had intended to write an essay on 'dandyism in literature' under the title of 'Literary Dandyism, or Grandeur Without Convictions'.[12] In 'The Painter of Modern Life' he describes the dandy as an 'out-of-work Hercules, whose solitary profession is elegance. These beings have no other calling but to cultivate the idea of beauty in their persons, to satisfy their passions, to feel and to think'.

> It [dandyism] is first and foremost the burning need to create for oneself a personal originality, bounded only by the limits of the proprieties. It is a kind of cult of the self which can nevertheless survive the pursuit of a happiness to be found in someone else - in woman, for example; which can even survive all that goes by in the name of illusions. It is the joy of astonishing others, and the proud satisfaction of never oneself being astonished. (Baudelaire, 1964, pp.26-29)

The notion of the dandy is central to Baudelaire's sociology of modernity. That he generally uses aesthetic notions to capture the significance of the modern age is not accidental; nor are these notions incidental illustrations. And in no way, finally, can the central position of 'aesthetic metaphors' in his understanding of *modernité* be dismissed as the aestheticism of a defunct aristocracy, even if he himself describes the dandy as an aristocratic 'daystar' in the dawn of the democratic age. Baudelaire's sociological aestheticism has a very precise meaning: the modern age is aesthetic. The 'modern heroism' of the dandy in face of bourgeois *ennui* is Baudelaire's allegorical inscription of the fate of intellectual culture in a society that has no use for it. The loss of faith in progress that was the element of the revolutionary programme, of the political action that aimed at the totality of society, brings with it the political decommissioning of culture. 'With the advent of higher intellectual culture,' as the young Friedrich Schlegel had written, 'the goal of modern poetry naturally became *original and interesting individuality*.'[13] As if with foresight, intellectual culture had already prepared a poetic space into which it could withdraw. Politics in turn becomes just another stage of the 'pageant of fashionable life' on which

the political dandy scores points of distinction. Elegant gesture wins over political conviction, not in discarding it but by turning it into an aesthetic material.

> Suppose that a minister, baited by the opposition's impertinent questioning, has given expression once and for all - with that proud and sovereign eloquence which is proper to him - to his scorn and disgust for all ignorant and mischief-making oppositions. The same evening you will hear the following words buzzing round you on the Boulevard des Italiens: 'Were you in the Chamber today? and did you see the minister? Good Heavens, how handsome he was! I have never seen such scorn!' So there *are* such things as modern beauty and modern heroism! (Baudelaire, 1965b, pp.118-119)

The melancholy irony that envelops dandyism (this 'last spark of heroism amid decadence... a sunset without heat and full of melancholy') makes manifest only too well the 'rising tide of democracy which invades and levels everything' (Baudelaire, 1964, pp.28-29). In order to hold his head above the tide of the market, the dandy has to make himself along with his cultural output into a marketable commodity. 'It was necessary for Baudelaire,' Benjamin says, 'to claim the dignity of a poet in a society no longer capable of conferring dignity' (Benjamin, 1985, pp.37-38). His deviant eroticism, his satanism and buffoonery are marketing tactics that at the same time inscribe Baudelaire himself into an aesthetic object.

The dandy is the underside of the *flâneur*; or rather the latter is already the former. For the redemption of the 'harsh refuse of modernity' (Oehler) that the *flâneur* carries out is dictated by the same 'doctrine of elegance and originality' that compels its disciples (dandies) to 'combat and destroy triviality'. Aesthetic redemption of monstrous and fugitive elements of modern life ('distil the eternal from the transitory') is supposed to prepare the coming age of the genuinely new. But precisely to the measure that this redemption is successful it folds back the anticipated age onto the present. The genuinely new dawns in aesthetic recognition. '*Nothing* embellishes *something*... every fashion is charming, relatively speaking, each one being a new and more or less happy effort in the direction of Beauty, some kind of approximation to an ideal for which the restless human mind feels a constant, titillating hunger' (Baudelaire, 1964, pp.31-33). Even when submerged in the torrent of the crowd the *flâneur* is not of the crowd. On the one hand, like the gambler, he immerses himself in his activity to ward off the onslaught of boredom. On the other hand, the *faits divers* of his observations, torn out of their 'natural' context, are used as a storehouse for furnishing his lyrical ambiance. They are of the same cloth as his paraphernalia. 'For the perfect dandy these things are no more than symbols of his aristocratic superiority of mind' (Baudelaire, 1964, p.27).

This explains why in 'the *Fleurs du mal* there are not the slightest beginnings of a description of Paris' (Benjamin, 1985, p.45). Like the collection of the collector, his Paris signifies the lyrical poet. The organic elicits Baudelaire's hostility because it resists his allegorical intention motivated by the desire of cobbling a lyrical fantasy. Before entering this world, the woman must become the prostitute, 'a creature of show, an object of public pleasure', a commodity alongside other commodities on exhibition.[14] The dandy is the product of the aesthetic attachment to form and of the impotent rage against the world. In 'aesthetic semblance' the playful man finds satisfaction. In 'Beauty' the dandy seeks revenge.

Apparently the 'lesson' of the Baudelairean outcome of Schiller's political play with the aesthetic has not been sufficiently learnt or has been conveniently forgotten by those who still continue to promote the 'political cause of the aesthetic'. The ambiguity of this last phrase is intentional, for the political promotion of the aesthetic surreptitiously or precipitously ends in a politics of self-promotion. To be sure, there is a whole spectrum of theories that assign a political or non-aesthetic function to the aesthetic. Some are nostalgic. These theories insist on hearing in the aesthetic the voice of a political indictment of the irrationality of society. Some see in it the much more grandiose potential of creating the 'real utopia of non-violent communication'. In the extreme case, aesthetic-theoretical enactment of a stylised revolt is staged as a political engagement with the negativity of the world. One does not find intellectual dandyism only in the limelight of fashion, on the cover of *L'Expresse.* It can also be found in theory, which is much more durable if not as fantastic - that is of course if one knows what one is doing. Every theory that claims a political significance for its own formal gestures is already guilty of dandyism. When it goes further and claims for them the *distinction* of the 'only truly political' or the 'most radical' - in this case it *is* intellectual dandyism. I briefly present here three examples.

J. Bernstein charges contemporary accounts of 'the political interrogation of the cultural significance of art' with the failure 'to perceive that significance as dependent on and a marker for an *absent* politics'. Aesthetic discourse contains a 'categorical framework' which, 'if freed from confinement in an autonomous aesthetic domain, would open the possibility of encountering a secular world as a source of meaning beyond the self or subject' (Bernstein, 1992, p.9). The terms and concepts that this framework makes available for critical reflection also 'envision an alternate form of community which is irrevocably 'political' in its complexion' (ibid.). However, Bernstein argues, following Adorno, that the radical critique that art levels against the irrational world on behalf of 'the victims of modernity' soon degenerates into formal gestures. 'The path of modern art is from a determinate to an abstract negation of the

categorical structures of modernity. But abstract negation contains nothing to inhibit its turning into its opposite; which to a large extent is the fate that has befallen modernist art: it has become the token of what it originally refused' (ibid., p.63). The social significance of postmodernist 'works' of art goes no further than their market value. The negation of 'style' that Dada and Expressionism conducted as a protest against the false generality of conventions has itself become a style in the postmodern. The demise of progressive modern art leads to 'its critical moment to pass to philosophies, theories, that are themselves self-consciously modernist in their outlook and procedures' (ibid., p.264). The impulse for 'historical overcoming' of alienation which has left the world of 'political programmes' devolves into 'works and what can be like them' (ibid., p.268). There is thus an inevitable alignment of art and philosophy on the one hand and political judgement and political community on the other. 'Our "we" has gone underground, appears only through the theoretical tracing of the fate that has rendered us strangers to one another. "We" come to know ourselves and recognise who we are only through the mediation of theory' (ibid., p.273).

What befell artistic modernism must also overtake 'philosophical modernism': the attenuation of reference to social reality, which is the condition and price of its formal radicalism. Bernstein is mindful of this but somehow does not think that it compromises radical theory's social-critical function. The testimony to social alienation that 'aesthetic theory' bears points to a 'new history' that theory itself cannot initiate. The same 'curse' that according to Adorno scars modern art, namely that the 'new is the longing for the new, not the new itself',[15] also marks theory. Nothing need check the flight of longing; and in modernity nothing can check its flight, either. It is precisely in the aesthetic that, as Marquard has argued, the overburdened man of an overtribunalised world finds relief from legitimation-compulsion (Marquand, 1989, pp.49-53). One could argue that this over-tribunalisation is at least in part attributable to the process of societal modernisation and its concomitant social alienation, and on this basis explain the romantic conception of art as the locus of reconciliation. But Bernstein proceeds in the reverse. Because art alone suffers or suffered 'the rationally differentiated specialised spheres of practice' it is or was 'a privileged social space for critique' (Bernstein, 1992, p.267; and see p.129 and pp.181-184). The dignity that this supposed suffering grants art and subsequently theory is that of intimating 'an idea of what true praxis might be like'. Art and theory are thus free to play or 'rehearse' the role of conscience of a fallen reality.[16] Are suffering and fantasy (of reconciliation) - or rather, fantasy of suffering - an acceptable credential for political competence? More importantly, since in the meantime all true political praxis is blocked, aesthetic theory can claim for its own 'praxis',

for its stylised radicalism, the dignity of the political, although 'always and necessarily less practical, less "political" than the reason and praxis it is exemplifying' (Bernstein, 1992, p.269). By designating itself political, aesthetic theory simultaneously elevates itself - and stands aside.

Wellmer believes that modern works of art are able to effect 'a genuine expansion of subjective boundaries' by disclosing new dimensions or areas of reality: 'modern art incorporates those aspects of reality that are senseless, alien to the subject, and not integrated into his universe of meaning' (Wellmer, 1991, p.19). The aesthetic synthesis that the 'open forms of modern art' exemplify point towards new forms of psychic and social 'synthesis'. Thus Wellmer thinks it possible to recast Adorno's utopian theory of aesthetic semblance in terms of a 'real utopia of non-violent communication': 'art has a *function in connection with* forms of non-aesthetic communication or of a real change in ways of understanding ourselves and the world'. Modern art performs this function by making possible through its 'open form' an 'aesthetic appropriation of experiences remote from the subject'. The utopian function of art need not be 'utopian'. The colour of modern art need not be 'black' (Adorno). The 'path of progressive negativity' that art follows also encompasses that other moment expressed in the 'negation of objectively binding meaning', namely the growing capacity for aesthetically *processing* those aspects of reality which, by virtue of their aesthetic articulation, are *no longer* merely negated, ie., excluded from the realm of symbolical communication' (ibid., pp.20-21). The world becomes more communicable in meaning as a result of the experience of the aesthetic effect (ibid., pp.52-57).

In the end, however, the question whether aesthetic experience can make a positive contribution to the real utopia of non-violent communication comes down to the problem of the nature of the aesthetic effect. To begin with, a sociology of the institutionalisation of art militates against Wellmer's thesis which seems to proceed directly from the Enlightenment illusion regarding the social effectivity of intellectual culture.[17] Habermas who, 'in principle', follows Wellmer's thesis also acknowledges the fact that the reintegration of intellectual culture as a constituent of 'the unabridged concept of practice' requires different societal conditions - whatever they might be is not at issue here (Habermas, 1984, pp.363-365). The sociological anonymity of Wellmer's 'subject' is well positioned to purchase political relevance for Beckett's *Endgame*. Intellectual culture continues to benefit from the anonymous subject that the market made available to it precisely as an idealised recipient, whose infinitely inflated ubiquity in turn sustains the illusion of the social effectivity of products that only a few experts are able to appreciate. Apart from this objection there is also the further problem, perhaps more important, of the very nature of the aesthetic effect. Wellmer

sees in this effect a 'potential' for 'an expansion of the boundaries of meaning and of the subject'. Now this is extremely problematic. On the one hand, this potential can be realised only within definite historical contexts, as Wellmer himself concedes: 'it is only in the new political forms of action, and in the alternative and resistance movements, that artistic "action" and "happenings" have found the context in which they can develop their aesthetic explosive form' (Wellmer, 1991, p.34). Similarly Habermas' example of a politically relevant appropriation of intellectual culture comes from the thirties, that of Weiss' *The Aesthetics of Resistance* in which he describes 'the process of reappropriating art by presenting a group of politically motivated, knowledge-hungry workers in 1937 in Berlin' (Habermas, 1984, p.13). Should not political claims of an 'aesthetic theory' be redeemed by a reflection on contemporary historical conditions instead of being spun out of an academically isolated philosophical tradition, e.g., Adorno's philosophy? On the other hand, the political 'potential' of the aesthetic effect faces the same internal instability as that of Schiller's 'aesthetic education'.

In order to guarantee the autonomy of the aesthetic, Wellmer takes up Adorno's definition of modern art as that which withstands the negativity (ie., meaninglessness) of the world and gives it a Nietzschean twist: 'in the successful aesthetic articulation of negativity (of the "power of negativity"), subjects are able to have direct experience of their power to articulate, to communicate, to fashion their world vis-à-vis this power of negativity. That is why the experience of negativity can become converted into aesthetic pleasure' (Wellmer, 1998, p.172). Modern art presents and simultaneously dispels the terror of nothingness. What reason is there to assume that the pleasure of withstanding the terror of nothingness which the subject experiences in modern art will have the consequence of promoting an active confrontation with the negativity (ie., irrationality) of the world? Should we presume that we are dealing with a Hobbesian subject who seeks power after power, or a Nietzschean one with an overabundance of life? That is to say, do we not have to introduce an unhistorical substrate in order to ground the transcendence of 'the utopia of the aesthetic' (Bohrer) toward a social utopia, however defined? In the absence of a politically charged sense of historical urgency, the aesthetic absorbs the utopian moment of modern art, that is, the promise of happiness.

> [T]he prose of the utopian moment, does not invert the utopian content but rather dissolves it. If the anticipation of collective happiness and normative exempla has become questionable, then happiness may perhaps be redeemed in individual moments. The authors of the intensified moment, Proust, James Joyce, and Musil, replace the description of a state of social harmony or its

inverse with the 'I' in a state of emphatic perception, an 'ecstasy' of 'happiness' that transcends both social and purely private reality. Objective reality is no longer conceived as transformable into a utopia, futuristic anticipation disappears altogether, and utopian fantasy moves to the interior of the subject. (Bohrer, 1994, p.203)

What Bohrer says regarding the literature of the intensified moment can and must be generalised in respect of all attempts at assimilating the ghetto of intellectual culture into the political city by means of the aesthetic. With the wane of the authority of symbolic discourses, of serious or 'heavy meaning', that the reign of the market has caused,[18] theory has to give due weight to the fact that things have become much weightier than words, otherwise it comes across as an unintended parody. Theories and cultural projects, says Bohrer, 'are symbolic actions with promise for the future' (Bohrer, 1994, p.152). But when the measure of actual practice becomes inapplicable, when the future held out by the promise is so out of phase with the present that the present becomes 'of no consequence' for theory, then *radical* theory can comfortably settle into radical *theory*. Under the weight of things, symbolic *action* becomes *symbolic* action. And theory's imaginary activity finds fulfilment in the 'spectacular' dismissal of reality (Debord, 1994, pp.151-152). When there is no pressure to redeem in practice one's 'theoretically coherent' claims, one can get away with playful extravagance, as long as one respects the criteria of scholarship. A theory that can no longer be challenged from the standpoint of practice is always on the verge of becoming theoretical hallucination.

In *The Sovereignty of Art*, Menke defends a thesis that seems indefensible, except of course in theory. The sovereign enactment of aesthetic negativity 'confronts nonaesthetic practices and discourses with the experience of crisis in the face of which they become aporetic' (Menke, 1998, p.249). The post-aesthetic way of viewing things reveals 'the aporetic character of the functioning of discourses and practices'. The 'experience of aesthetic negativity is sovereign,' says Menke, 'because it is a disruptive crisis' (ibid., pp.250-254). The sovereignty of art, in other words, lies in the potential ubiquity of the 'determinate negation of the understanding sought in the process of the aesthetic experience of art' (ibid., p.26). What makes aesthetic experience a 'negative event' is the necessary failure of the process of understanding (no less necessary) of the aesthetic object. Thus it is an 'experience of the negation of understanding'. But this experience, according to Menke, cannot be contained within the institution of art. Aesthetically enacted experience lays bare the immanent negativity or groundlessness of all modes of understanding (ibid., p.25). The aesthetic is the locus where the 'disinhibition' of the subject, induced by its emancipation in modernity

from 'institutional localisations', finds its autonomous form. The liberated subject is 'the instantiation of aesthetic experience', of the experience of aesthetic negativity (ibid., p.176). This sets the subject of aesthetic experience at odds with the functioning of 'the functioning discourses' or 'nonaesthetic discourses' that enact an 'automatic' mode of understanding, that 'make use of conventions to successfully identify the object to be understood' (ibid., p.31). Thus Menke can affirm 'that the experience of aesthetic negativity in this potential ubiquity has destabilising consequences for the nonaesthetic without becoming heteronomous' (ibid., p.177). The 'danger' of the aesthetic experience of negativity consists in the fact that 'as the total negation of the automatic understanding on which every discourse is premised, it generates problems for our discourses from the outside, but which cannot be reformulated and resolved within these discourses' (ibid., p.236). But this negation of understanding that the process of aesthetic experience sets in motion is also the source of 'aesthetic pleasure' (ibid., p.25). It is, presumably, a dangerous pleasure.

Menke's thesis of the sovereignty of art is a 'sovereign enactment' in theory of *avant-gardism*. Theory thus takes its revenge against reality by sovereignly dictating the terms of engagement: it empties reality of its density and complexity, art works included. By taking art to life, the *avant-garde* had sought to disrupt bourgeois ideology in actual practice, in the here and now. The failure of this attempt showed the practical impotence of the symbolic *vis-à-vis* reality. It must also have revealed the tenuousness of the symbolic's theoretical grasp of things, *its* mode of understanding. Instead, radical theory dispenses with the failed reality altogether, since in 'the open-air prison which the world is becoming, it is no longer so important to know what depends on what, such is the extent to which everything is one' (Adorno, 1967, p.34). This can easily become a licence for 'idle chatter', or end up in 'foolishness', as Adorno himself acknowledges. In reality the aesthetic's attempt at negation, at subversion, at transgression, etc., fails; in theory it succeeds, has always already succeeded, since the groundlessness of the mundane understanding is not something that the aesthetic causes (by some kind of action) but a general condition that it reveals in each and every case.[19] History completely drops out, even in its ghostly figure, in Adorno, of a hopeless hope of a future of reconciliation ('the utopia of art, that which is yet to come, is draped in black'), heroically held onto by the intellectual. What more is to be expected when theory has already successfully carried out the most general and the most radical dismissal of the existing social conditions? The sovereign enactment of theory is the formal gesture of revolt which does not touch anything but is content with and in fact experiences consummate pleasure in pointing to the 'potential ubiquity' of a 'disruptive crisis'.[20] If aesthetic capacity is the capacity to experience pleasure in mere forms,

then by rights this theory must be called aesthetic theory. And on its back the intellectual becomes Adorno's 'god-beggar' who 'merely talks and thus is excluded from the context of action,' and 'whose aura arises out of his position outside society'.[21]

Regarding the 'melancholy science' that has 'forfeited the Enlightenment impulse to improve the world' and skims, in Gehlen's words, 'a comfortable science off the top of sorrowful things' - regarding this science Lepenies says: 'The heroism of standing still, of arrested motion, knows that it has "sorrowful things" on its side' (Lepenies, 1992, p.197). The heroism of the dandy, by contrast, consists in 'withstanding' sorrowful things (stylised as modern art and theory withstanding the negativity or falsity of the world) and drawing attention to this grand gesture. The consciousness of sorrowful things is aestheticised into theoretical grandeur. 'The distinguishing characteristic of the dandy's beauty,' said Baudelaire, 'consists above all in an air of coldness which comes from an unshakeable determination not to be moved; you might call it a latent fire which hints at itself, and which could, but chooses not to burst into flame.'[22] Dismissing Marcuse's argument in favour of actively siding with the student movement, Adorno writes: 'We withstood in our time, you no less than me, a much more dreadful situation - that of the murder of the Jews, without proceeding to praxis; simply because it was blocked for us. I think that clarity about the streak of coldness in one's self is a matter for self-contemplation'.[23] Doomsday theories of unmitigated fall are not formulated in barricades but from atop of ivory towers. 'I am a man of theory', Adorno excused himself to an interviewer regarding his position on the German student movement, 'and feel theoretical thought to be extremely close to the purposes of the artist.'[24] Things are so bad, so very bad, as theory has proved, that 'little improvements' will be of no consequence. Radical-theoretical gestures serve the god-beggar as alibi for standing aside; but they also help his auratic self-promotion.

Baudelaire's characterisation of the dandy proves Benjamin's intuition that the past of the twentieth century's aesthetic fate must be sought in mid-nineteenth century Paris. This fate consists in the reduction of experience to aesthetic absorption and self-absorption that turn the world into phantasmagoria. 'The index of heroism in Baudelaire,' wrote Benjamin, 'is to live at the heart of irreality (appearance)' (Benjamin, 1985, p.45). Cultural goods belong to the surface of appearance; they are nothing but 'the sedimentation of memorable things and events that never broke the surface of human consciousness because they never were truly, that is politically, experienced'.[25] Intellectual culture's elective affinity with the phantasmagoria of commodity lies in its superficial, aesthetic nature, which in 'spiritualised fashion' perpetuates the fetishism of commodity. The market emancipated culture from the tutelage of

patronage. No sooner, however, has it won its autonomy than it becomes a market itself. 'Nothing,' Baudelaire said, 'embellishes something.' On the surface of the phantasmagoric nothing, the dandy stages his formal gestures of radicalism. Theoretical purism elevates the stage above the spectators engulfed in darkness - of the world. Aesthetic semblance liquidates history and thus frees the market to push through a new regime of meaning. After the era of political militancy and 'intransigent convictions and beliefs' comes 'the era of frivolous meaning: interpretations of the world have shed their former seriousness and taken up the casual intoxication of consumption'. This is the 'interminable process of desacralisation and desubstantialisation of meaning that defines the reign of consummate fashion' (Lipovetsky, 1994, p.9). Not that the 'serious tone' drops out of the new chapter of intellectual culture, just the opposite. The more intellectual culture is 'neutralised'[26] the more it has to attach to its formal gestures political stakes. There is a truth in what Lipovetsky says about the attitude of intellectuals toward fashion. 'They fulminate against fashion, but they are quick to follow its lead, adopting similar hyperbolic techniques, the sine qua non of conceptual one-upmanship' ·(ibid.). One need not feel impertinent in asking after 'the latest' in the intellectual market, in asking what is 'in' and what is 'out'. The superficiality of the fashion world gives free reign to the escalation of subversive gestures; and radical theoretical gestures, by which intellectuals compensate for their practical impotence, are finally pressed into the service of easing their bad conscience, of washing their hands of 'false' reality. Their ban on psychologisation works to shield them against the suspicion of self-promotion.[27]

Radical theory has all but lost its power of communication and has been more or less assimilated to the spectacular regime of 'communication of the incommunicable' (Debord, 1994, p.136). In Kant's aesthetics formal beauty communicates meaning; in aesthetic theory meaning is stylised into petrified (ie., non-historical) form. The pseudo-novelty of its moves and the pseudo-confrontations it stages with the way things are go no further than its own space. In this, however, it is reconciled with the dominant state of things. In a superficial age where theoretical insight can almost effortlessly become cynical, the fulfilment that the play with form procures necessarily undermines the impulse to action. Today, theory can be praxis only inasmuch as it is aestheticised, in the sense that has been developed above. Just as in becoming a form of self-consciousness humility can no longer be humble, so in self-consciously becoming theoretical radicalism, radical theory is no longer radical, nor theory. It becomes an item of the phantasmagoria it so much abhors: it ends up forfeiting precisely the *little power* of theory it can still have - in the manner of what happens to parable, *mutatis mutandis*, in Kafka's parable 'On Parables':

All these parables really set out to say merely that the incomprehensible is incomprehensible, and we know that already. But the cares we have to struggle with everyday: that is a different matter.

Concerning this a man once said: Why such reluctance? If you only followed the parables you yourself would become parables and with that rid of all your daily cares.
Another said: I bet that is also a parable.
The first said: You have won.
The second said: But unfortunately only in parable.
The first said: No, in reality: in parable you have lost.

Notes

1   The little sentence 'Something's missing' is from Brecht. In a discussion of 1964, Adorno and Bloch use the sentence to characterise the function of utopia: 'utopia refers to what is missing'. Adorno says that 'utopia is essentially in the determined negation, in the determined negation of that which merely is', and playing on Spinoza's 'Verum index sui et falsi', he continues, 'Falsum - the false thing - index sui et veri. That means that the true thing determines itself via the false thing, or via that which makes itself falsely known. And insofar as we are not allowed to cast the picture of utopia, insofar as we do not know what the correct thing would be, we know exactly, to be sure, what the false thing is' (Bloch, 1988a, p.12). See also Bloch, 1998b, p.111: 'Without the utopian function it is impossible to explain the intellectual surplus that went beyond the status quo and that which had been accomplished, even if that surplus is filled with illusion instead of anticipatory illumination. Therefore, all anticipation must prove itself to the utopian function, the latter seizing all possible surplus content of the anticipation'.

2   See in this respect Jauss' analysis of the importance of the aesthetic in Marx's conception of nonalienated labour (Jauss, 1975-1976, pp.191-208).

3   The term 'formally' means, as should become clear below, (a) in respect of form, (b) in state of attachment to form, and (c) through form.

4   I use the term parody in the sense Adorno understands it in his essay on Beckett's *Endgame*: 'In its emphatic sense, parody means the use of forms in the era of their impossibility' (Adorno, 1991, p.259).

5   In Kant, culture is strictly subservient to man's moral calling, whether directly as *Bildung* or indirectly as an instrument of promoting natural-dispositional and societal conditions which facilitate moral action. In *Critique of Judgment* he defines culture as 'producing in a rational being an aptitude for purposes generally' (Kant, 1987, p.319). It fosters in human beings the power of choice, and disciplines this power to choose independently from natural impulses. The services of culture in the form of refinement of manners and pleasures do not make man 'morally better for life in society' but only 'civilised for it'. Hence in

Kant culture does not have an autonomous value; it derives its justification not from the pleasure, however refined, that it affords but in that it provides the conditions under which human beings can develop the faculties which favour moral freedom. It is, however, extremely difficult if not impossible to give a univocal interpretation of culture in Kant that could embrace all his writings on the topic. Markus for example argues that, of the three superior cognitive powers, reason which alone legislates in the realm of morality does not have an independent cultural sphere (Markus, 1997a). This raises the question of 'how can culture provide us at all with the guiding ends of social development, if the sole ends and values in themselves, those of morality, cannot be transformed into direct cultural powers?' Another problem is that of the discrepancy between the constitutive role of culture in Kant's philosophy of history and its necessarily incidental role in his practical philosophy: if the possibility of moral action is transcendentally grounded, making historical process a matter of indifference, then in what sense is the development of man's natural predispositions in history (eg. through rule of law and culture) significant? And conversely, if this development is important because it at least favours the possibility of moral action, then in what sense can the wrong done to the earlier generations be redeemed? This quandary is further exacerbated by the fact that in his so-called popular writings on the philosophy of history Kant seems to give an independent justification of the historical development of man's natural faculties. Here the perfection of these faculties is said to be the *raison d'être* of history according to the teleological doctrine that nature fully develops all of its potentials and endowments. Nonetheless one thing is clear in Kant: culture is valued inasmuch as it is socially effective in bringing about a society compatible with the demands of morality. In sum, culture is the ultimate purpose of nature with men, 'but it endows us with no directive how to approximate to the final purpose (*Endzweck*) of human beings' (Markus, 1997a).

6   Schiller, 1967, p.95. The aesthetic is the Absolute since it is only in the reconciliation of the physical and the moral that 'all constraint' and 'all contingency' are annulled and man is set 'free both physically and morally' (p.97). The aesthetic is the Absolute, in other words, because it effects a total closure.

7   See Schiller, 1967, pp.124-127. The paradigmatic case of play is the contemplation of beauty in which man reaches the heights of humanity, since in 'the enjoyment of beauty' the 'practicability of the infinite being realised in the finite, hence the possibility of sublimest humanity' is proven (p.189).

8   See Schiller, 1967, p.9: 'Expectantly the gaze of philosopher and man of the world alike is fixed on the political scene, where now, so it is believed, the very fate of mankind is being debated... a question which has hitherto always been decided by the blind right of might, is now, so it seems, being brought before the tribunal of Pure Reason itself, and anyone who is at all capable of putting himself at the centre of things, and of raising himself from an individual into a representative of the species, may consider himself at once a member of this tribunal, and at the same time, in his capacity of human being and citizen of the world, an interested party who finds himself more or less closely involved in the outcome of the case. It is, therefore, not merely his own cause which is being decided in this great action; judgment is to be passed according to laws which he, as a reasonable being, is himself competent and entitled to dictate'.

9   See also F.W.J. Schelling, 1978, pp.230-234.
10   See Arendt, 1973, pp.52-53.

11   For the history of the notion 'post-histoire' see Lutz Niethammer, 1992.

12   See Vincent Descombes, 1993, p.62.

13   Cited in Peter Szondi, 1986, p.59.

14   Baudelaire, 1964, p.36. One could even say that for Baudelaire the prostitute is the essence of woman: 'Woman is quite within her rights, indeed she is even accomplishing a kind of duty, when she devotes herself to appearing magical and supernatural; she has to astonish and charm us; as an idol, she is obliged to adorn herself in order to be adored. Thus she has to lay all the arts under contribution for the means of lifting herself above Nature, the better to conquer hearts and rivet attention. It matters but little that the artifice and trickery are known to all, so long as their success is assured and their effect always irresistible' (ibid, p.33).

15   Cited in Bernstein, 1992, p.191.

16   Bernstein, 1992, p.272: '[A]rt works can but rehearse the praxis that is the constitution of a collectivity. Art and philosophy are praxis and judgment in the absence of praxis and judgment; they are political or ethical stand-ins for an absent politics'.

17   See, for example, György Markus, 1997a: 'To the ideal claim pertaining to the very notion of a high culture, the claim to universal significance and validity, stands opposed the indisputable fact of its highly restricted and socially conditioned spread and effectivity'.

18   See Pierre Manent, 1998, p.102: 'The society we are examining - our own - appears as Economy writ large because it acts as a system of utility, labour, and value. In such a necessarily homogeneous system, where only equal values can be exchanged, there is no place for the power that necessarily introduces difference and inequality, first of all among the haves and have nots. Commercial society nurtures and contains the immanent utopia of a powerless society, a depoliticised city'.

19   In this Menke is a true Adornian. See Markus, 1999, p.42: '[J]ust as Adorno succeeds in finding the same ultimate truth content, 'paraphrased' by every genuine work of art in its own, historically specific way, and expressed through its own, thoroughly individuated voice, he can also find the trace of the same inexpungeable *falsity* in each of them. Specific critique becomes dissolved in abstract generality, flight from identity thinking results in the most extreme identification'.

20   See Menke, 1998, p.254: 'the experience of aesthetic negativity is sovereign - not because it is a compatible dimension 'in interplay', interacting with nonaesthetic practices and discourses - but because it is a disruptive crisis'.

21   Cited in Markus, 1999, p.48.

22   Baudelaire, 1964, p.29. In a letter of 1793 to his brother, F. Schlegel portrays Hamlet's psyche in the following terms: 'The source of Hamlet's inner death lies in the greatness of his understanding. If it were less great, he would be a hero; if he wanted to be, he would find it easy' (cited in P. Szondi, 1985, p.59).

23   The letter is dated 5 May 1969 and is printed in *New Left Review* 233, 1999, p.127.

24   See 'Of Barricades and Ivory Towers: An Interview with T.W. Adorno' in *Encounter*, Vol. 33, No. 3, September, 1969, pp.63-69.

25   Cited in Markus, 2001. Markus comments as follows: 'culture is a historically specific way of integrating past and present works of art, science, etc., into a tradition which by its very character robs them of genuine effectivity: of the ability to guide collective action, to have a "transformative effect" [Benjamin].'

See this article also for a lucid account of Benjamin's method of redemptive critique through constructing 'dialectical images'.

26   I use the term in the sense that Fink uses it: 'To neutralise first means "to leave open", "to put out of force", "to put in brackets", "to merely think without doing". In this way, neutrality modification designates a modification of belief in experience of a singular kind: a belief in the modus of as-if' (cited in Menke, 1998, p.271).

27   See François Roustang, 1990. Of course they show no hesitation to use 'social-psychology' to analyse the masses; actually they consider it necessary since, as Horkheimer puts it, 'the action of numerically significant social strata is determined not by knowledge [Erkenntnis] but by a drive structure that leads to false consciousness' (Horkheimer, 1993, p.120).

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